

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1982

**HELD IN THE CITY OF MONTGOMERY,
COMMENCING TUESDAY, JANUARY 12, 1982**



VOL. 2
WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience.

1. List of registered lobbyists, with lobby group affiliation;
2. Legislative roster, listing names and addresses of all members of the current Legislature by district;
3. A listing of legislative days, with calendar dates and pages on which each day begins;
4. A topic index of general bills listed alphabetically by subject matter;
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6. A topic index of resolutions;
7. A miscellaneous index, including all items not categorized as bills or resolutions;
8. A sponsor index, including all Senate bills and resolutions alphabetically by author;
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JOURNAL
OF THE
SENATE
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STATE OF ALABAMA
REGULAR SESSION OF 1982

TWENTY-FIFTH LEGISLATIVE DAY

WEDNESDAY, APRIL 7, 1982

The Senate met pursuant to adjournment, Lieutenant Governor McMillan presiding.

PRAYER

The Session was opened with prayer by the Reverend Giles Williams, Pastor, New Providence Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Hall	Little	Robertson
Bailey	Harrison	Martin	St. John
Britnell	Higginbotham	McDonald	Smith
Callahan	Hilliard	Miller	Taylor
Cook	Holmes	Mitchem	Teague
deGraffenried	Keener	Parsons	Vacca
Denton	Kirkland	Pearson	Weeks
Goodwin	Lemaster	Proctor	White
Gulledge			

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JOURNAL

On motion of Mr. McDonald, the reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

ALBERT McDONALD,
Chairman.

COMMITTEE REPORT

On motion of Mr. McDonald, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fourth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. McDonald, leave of absence was granted Messrs. Figures and Glass for today.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 161. To amend section 4 of Act No. 135 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (Acts of 1978, p. 1868), §40-7-25.1, Code of Alabama 1975, which act was entitled "An Act to provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the Department of Revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act," so as to provide for the further definition of current use value of Class III property and to provide for methods of determining current use value on and after October 1, 1981 through the use of standard value formulas, to describe and set out those formulas, and to provide a mechanism for appeal of standard value determination with respect to individual parcels of Class III property.

The question was on the substitute offered by Mr. deGraffenried, which said substitute is set out in the Journal of the Senate for the Twenty-Fourth Legislative Day.

RULES SUSPENDED

On motion of Mr. McDonald, Rule 14(9) was suspended and permission was granted to offer Motions in Writing regarding the referral of Bills to the Standing Committee on Rules for placement on the Consent Calendar.

Also, on motion of Mr. McDonald, the Rules were suspended and permission was granted to introduce Bills, Resolutions, and Committee Reports out of order.

MOTIONS IN WRITING

Mr. Smith offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 483, on page 93 of the Twenty-Fifth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 483, referred to the Standing Committee on Rules for placement on the Consent Calendar.

Mr. Smith then offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 420, on page 75 of the Twenty-Fifth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 420, referred to the Standing Committee on Rules for placement on the Consent Calendar.

FURTHER CONSIDERATION OF H. B. 161

The Senate proceeded to further consideration of the Bill, H. B. 161. The question was on the substitute offered by Mr. deGraffenried.

On motion of Mr. Gulledge, further consideration of the Bill, H. B. 161, and pending substitute was postponed temporarily.

INTRODUCTION OF BILLS

Upon a call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bailey (with notice and proof):

S. 532. Relating to Barbour County; to provide further for the expense allowance of the coroner.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 532, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Callahan:

S. 533. To amend Sections 40-9-12, Code of Alabama 1975, which provides for exemptions from taxation and licenses, so as to include certain organizations in the exemptions.

Committee on Finance and Taxation.

By Mr. Hilliard (with notice and proof):

S. 534. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

Committee on Local Legislation No. 2.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 534, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. deGraffenried:

S. 535. To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

Committee on Judiciary.

By Mr. McDonald (with notice and proof):

S. 536. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Madison in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises, and providing for penalties.

Committee on Local Legislation No. 1.

I hereby certify that the Notice & Proof is attached to the Bill, S. B. 536, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Mr. Teague:

S. 537. To require that group, individual, or blanket hospital or medical expense insurance policies or hospital or medical service contracts issued for delivery in this State which include mental health services in the terms of the policies or contracts, shall include reimbursement for services rendered by a duly qualified psychologist of this State notwithstanding any provisions of the policies or contracts to the contrary.

Committee on Banking and Insurance.

By Mr. Martin:

S. 538. To amend section 11-88-6, Code of Alabama 1975, which provides for boards of directors of county and municipal water, sewer and fire protection authorities, so as to provide further for the maximum amounts paid to such board members and chairmen for their meetings.

Committee on Governmental Affairs.

By Mr. Parsons:

S. 539. To authorize the Alabama State Board of Chiropractic Examiners to establish a preceptorship and extern program whereby chiropractic students enrolled in their last year at Board approved chiropractic colleges accredited by the Council of Chiropractic Education and recent chiropractic graduates of such colleges may be issued a limited license to practice chiropractic under the direct on premises supervision of a sponsor licensed to practice chiropractic in the state of Alabama and, in the case of

chiropractic students, under the direct supervision of the college; to provide that the limited license shall expire immediately upon the Board issuing the results of the first licensure examination after the limited licensee's graduation; to empower the Board to establish rules and regulations for the implementation of this act.

Committee on Health and Welfare.

By Mr. Callahan:

S. 540. To amend certain sections of Chapter 88 of Title 11 of the Code of Alabama 1975 to clarify and expand the content of the term "revenues", to make clear that proceeds of bonds may be used for the establishment of reserves for payment of debt service and for replacement and extension and for the payment of premiums or charges for bond insurance or for a letter of credit or other security device or arrangement entered into as security for such bonds, to provide for the investment of the proceeds of bonds, and to make clear that an element of the costs which may be assessed by those authorities having the power to assess include expenses of issuance of bonds, including charges or premiums on policies of bond insurance or letters of credit obtained in connection with bonds issued by an authority under the said Chapter.

Committee on Finance and Taxation.

By Mr. deGraffenried:

S. 541. Relating to municipal educational building authorities; amending Section 16-17-1 of the Code of Alabama 1975 so as to authorize any municipal educational building authority incorporated under the provisions of Chapter 17 of Title 16 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to establish, develop, acquire, purchase, lease, construct, reconstruct, improve, maintain, operate, sell, transfer and convey certain facilities which serve to provide education, care and treatment to certain emotionally or mentally disturbed, ill or retarded children and adolescents, and certain other children and adolescents; empowering such authorities (including those organized under predecessor legislation) to grant options to acquire ancillary facilities leased by such authorities to other persons and to use bond proceeds to establish debt service reserve or other similar funds in connection with the issuance of such bonds; and further amending Sections 16-17-16 and 16-17-19 of the Code of Alabama 1975, as amended, so as to provide further for distribution of the earnings of any such authority and the disposition of its properties upon the dissolution of such authority, and to provide for the continuing validity of certain resolutions adopted or actions taken pursuant to either said Section 16-17-16 or said Section 16-17-19, as heretofore amended.

Committee on Education.

By Mr. Smith:

S. 542. To authorize any industrial development board, heretofore or hereafter organized under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, or Article 4 of Chapter 54 of Title 11 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, use, operate, lease and dispose of, certain facilities for the use of any such industrial development board and certain other organizations, associations and foundations.

Committee on Governmental Affairs.

By Mr. Gullledge:

S. 543. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

Committee on Governmental Affairs.

By Mr. Gullledge:

S. 544. To amend Section 41-10-176 of the Code of Alabama 1975, relating to certain powers granted to the Historic Blakely Authority so as to provide further for such powers.

Committee on Governmental Affairs.

REPORTS OF COMMITTEES

Mr. Bailey, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. White:

S. 437. To provide that in all civil actions for personal injury, death, or property damage, evidence relating to reimbursement of plaintiff for expenses allegedly incurred as a result of the acts or omissions complained of, shall be admissible and to provide that evidence of the cost of obtaining such reimbursement shall be admissible.

By Mr. Bailey:

S. 476. To amend Section 5-18-11 of the Code of Alabama 1975, relating to books, accounts and records of licensees under the Alabama Small Loan Act, so as to provide further for annual reports of such licensees.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan (With Substitute):

S. 342. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

Mr. Teague, Chairman of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Coburn:

H. 331. To permit any person or entity to sell diesel fuel for the use in the operation of any motor vehicle upon the highways of this state and diesel

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fuel for off-highway purposes from the same tank and the same pump if certain requirements are met.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Parsons:

S. 500. To amend Section 38-2-6.1, Code of Alabama 1975, which provides for the office of state parent locator for the location of absent parents, so as to provide further for said office.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mitchem (with notice and proof):

S. 519. Relating to DeKalb County; providing for the distribution of the share of in-lieu-of-taxes payments of the Tennessee Valley Authority and providing for an effective date.

By Mr. Cook (with notice and proof):

S. 531. To amend Section 7 of Act No. 248, H. 872 of the 1975 Regular Session (Acts 1975, p. 778), relating to Shelby County and the installation and maintenance of an improved system of recording title to property and other documents recorded in the office of the Judge of Probate and the collection and disposition of a special index fee therefor, so as to further provide for such fees.

By Reps. Langford, Wyatt and McKee (with notice and proof):

H. 545. Relating to Montgomery County; providing further for the salary of the tax collector, effective upon the next term of office.

By Reps. Langford, Wyatt and McKee (with notice and proof):

H. 546. Relating to Montgomery County; providing further for the salary of the tax assessor, effective upon the next term of office.

By Messrs. Langford, Wyatt and McKee (with notice and proof):

H. 547. Relating to Montgomery County; providing further for the salary of the probate judge effective upon the next term of office.

By Rep. Moore (with notice and proof):

H. 617. An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster, Alabama, so as to incorporate certain territory as described herein.

By Rep. Moore (with notice and proof):

H. 638. Relating to Shelby County; providing for a salary adjustment for the sheriff of Shelby County.

By Rep. Gilmer (with notice and proof):

H. 656. Relating to Fayette County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the

sheriff of said county at the end of the current term; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

By Rep. Harvey (with notice and proof):

H. 657. Relating to Blount County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

Mr. deGraffenried, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

By Mr. Kirkland:

S. 18. To further provide for criminal procedure; to prescribe that the victim in any criminal case will be entitled to be present throughout the trial proceedings; to prescribe the location of such victim; to provide that in criminal homicide cases a designated relative or family member may be in attendance throughout the trial, at the option of the family and to prescribe the location thereof; and to prescribe that any such victim or his designee shall not be subject to any exclusion ruling.

By Mr. Kirkland:

S. 19. To amend Section 15-8-3, Code of Alabama 1975, relating to the required contents of indictments so as to further provide therefor.

By Messrs. Hall, Cook, Vacca, Harrison, Robertson, Britnell, Denton, Lemaster, White, Taylor, Callahan, Proctor, Goodwin, Teague, Parsons, Bailey and Kirkland:

S. 191. To propose an amendment to the state Constitution raising the legal age for the purchase, possession or consumption of alcoholic beverages to 21 years or older.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Parsons, Robertson, Mitchem and Goodwin:

S. 399. To provide for court ordered continuing income withholding by employers as a means of support enforcement; to provide that such order may be included as a part of any judgment or decree for the payment of support; to provide that such order may be entered as a post judgment remedy for the enforcement of delinquent support amounts in addition to enforcing continuing support obligations; to provide for the content of orders entered pursuant to this Act; to provide that income withholding orders shall be binding upon present and successive employers; to provide for the service of orders entered pursuant to this Act upon the obligor and the employer; to provide for the modification or termination of income withholding orders; to provide for the collection of certain fees for the filing of a petition for an income withholding order and for the collection of certain service fees; to provide that an income withholding order for support shall take precedence over subsequently issued garnishments; to provide that no employer may discharge or refuse to hire a person who is the subject of an income withholding order; to provide that any

employer who refuses to comply with the order may be deemed to be in contempt of court; and, further to specifically repeal Sections 6-6-490 through 6-6-493, Code of Alabama 1975, relating to garnishments to enforce child support.

By Mr. Parsons:

S. 434. To amend Section 30-4-81 of the Code of Alabama 1975, so as to expand the applicability of the Reciprocal State Enforcement of Duty to Support law to include the enforcement of support orders wherein a foreign jurisdiction is either the "initiating state" or the "responding state", as defined in this article, and to amend said law further by adding thereto a provision permitting the reciprocal enforcement of support orders or decrees wherein the "obligee" and the "obligor", as defined in this article, are in this State but in different counties.

By Mr. Parsons:

S. 490. To provide for the enactment of the Alabama Uniform Parentage Act, creating a civil cause of action in the courts of this state for the determination of paternity for the purposes of support and other reasons; to provide for the definition of the parent and child relationship and methods for the establishment of said relationships; to provide for a presumption of paternity; to provide for the treatment of the husband of a woman who has been the subject of artificial insemination, with his consent, as the natural father of a child born thereof; to provide for the jurisdiction of actions to determine paternity and support under this Act in those courts exercising jurisdiction over juvenile proceedings; to provide for the venue and service of process in said proceedings; to provide for the determination of the existence or non-existence of the father and child relationship and when and by whom these actions may be brought; to specifically provide that applicable sections of the Criminal Code shall remain available for the enforcement of a child's right to support; to provide for court-ordered blood tests, the selection of expert witnesses and evidence relating to paternity and the admissibility of such evidence; to provide for court orders determining paternity and the payment of support and the enforcement of such orders by the mother, the child or public authorities furnishing expenses and support; to provide that written agreements for support shall be enforceable by the courts; to provide that any party may be represented by an attorney and that the district attorney, special prosecutor or other attorney authorized to represent the State of Alabama shall prosecute all proceedings under this Act; to provide that any action to determine paternity for the purposes of support may be brought at any time prior to the child's 19th birthday; to provide that any interested party may also bring an action to determine the existence or non-existence of the mother and child relationship; to provide for the issuance of a new birth certificate upon a determination of paternity; to further provide for the appeal of judgments rendered pursuant to this Act to the circuit court for a trial de novo and by a jury, if demanded; and to specifically repeal Sections 26-12-1 through 26-12-9, Code of Alabama 1975.

By Mr. Parsons:

S. 498. To provide an additional or alternative remedy to the Reciprocal State Enforcement of Duty to Support law, Code of Alabama 1975, §§30-4-80 through 30-4-98, for the benefit of any person owed the duty of support where said duty arises pursuant to a foreign support order or decree as defined in this act.

By Mr. Callahan:

S. 427. To amend Section 12-19-113 Code of Alabama 1975 so as to provide that a juror summoned to pass upon the soundness of mind of a person shall be entitled to receive \$8.00 per day of attendance.

By Mr. Callahan:

S. 430. To provide that matters originating in the probate court shall not be removed or appealed to a district court.

By Mr. Little:

S. 171. To provide for the public offense of library theft; to define the offense and to define certain items; to provide certain presumptions of law relative to the offense; to authorize, under certain circumstances, library employees or agents to detain suspected offenders if such detention is based on probable cause; to provide criminal and civil immunity for such library personnel for detentions and resulting arrests authorized under this act; to authorize arrest for the offense by law enforcement officers, without a warrant and upon probable cause; to provide a misdemeanor penalty for the offense which shall be cumulative to existing theft penalties of this state; and to require public and conspicuous display of the provisions of this act in libraries and other institutions covered by the act.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Bowling and Brakefield:

H. 48. Proposing an amendment to the Constitution of 1901, providing for costs and charges of courts in Winston County.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Ray, Grimsley and Sasser (with notice and proof):

H. 337. To authorize the Barbour County Commission to compensate the Board of Equalization of Barbour County.

By Reps. Sandusky and Zoghby (with notice and proof):

H. 627. To amend an act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved August 19, 1969, by amending Section 5 thereof by striking out the phrase "and be sued"; therefore allowing the Board of School Commissioners not to consent to being sued.

By Reps. Sasser, Ray and Whatley (with notice and proof):

H. 636. To provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Barbour County; and to specifically repeal Act No. 81-731, H. 1048, 1981 Regular Session.

Mr. deGraffenried, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Proctor:

S. 338. To exclude certain officers and persons of any authority or district, established pursuant to Sections 11-88-15 and 11-89-15, Code of Alabama 1975, relating to water, sewer, water disposal and fire protection authorities and districts, from liability for civil damages or in tort, arising out of certain of their actions or conduct, committed or omitted, in connection with the furnishing of fire protection service or the operation of any fire protection facility when operating certain equipment therefor; to specifically provide the provisions of this act do not abridge any other right to immunity any such person otherwise is entitled.

By Mr. Teague:

S. 450. To amend sections 14-9-41, 14-9-43 and 14-9-44 of the Code of Alabama 1975, relating to the Alabama Correctional Incentive Time Act so as to provide further for the classification and reclassification of certain inmates; to provide that the court sentencing a person under the provisions of section 13A-5-9 shall note such sentence on the court transcript; and to provide that all courts sentencing a person to prison under this act shall use the transcript provided by the department of corrections.

By Mr. White:

S. 526. To regulate the practice of political polling and prescribes criminal penalties for violations.

Mr. Teague, Chairman of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Keener:

S. 461. To amend further Section 9-17-13 of the Code of Alabama, 1975, relating to the integration of separately owned tracts of land and development of same in drilling units.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith:

S. 523. To amend Section 41-9-430, Code of Alabama 1975, which provides for the Space Science exhibit Commission, so as to provide further for the powers of the commission.

By Rep. Riddick:

H. 633. To provide for the transfer of the property of the Huntsville State Docks to the Huntsville-Madison County Marina and Port Authority.

By Rep. Dial:

H. 616. Proposing an amendment to the Constitution of Alabama authorizing the legislature, by resolution, to designate a suitable place for the meeting and transacting of business of the legislature in the event it becomes necessary or desirable to repair, renovate, restore, construct or reconstruct the Capitol.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Venable:

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state at least 120 days prior to any such general election a list of the signatures of at least one percent of the electors of the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirements of federal, state or local laws.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Mr. Britnell:

S. 274. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the State Employees' Health Insurance Plan so as to extend eligibility for coverage to persons who are employed on a part-time basis by the State of Alabama and to provide for the payment of a pro rata portion of the premium costs by such employees.

By Mr. Hilliard (With Amendment):

S. 487. Relating to any Class 1 or Class 2 municipality, as defined by Section 11-40-12 of the Code of Alabama 1975, as amended; authorizing any such municipality to create a municipal dormitory building and renovation authority; authorizing the Authority to acquire, construct and equip self-liquidating projects consisting of buildings for dormitories and renovation of existing buildings for dormitories for any public institution of higher education; conferring powers and imposing duties on the Authority; providing for the appointment of members of the Authority; authorizing the issuance of revenue bonds of the Authority payable from the revenues, rents, repayment proceeds or purchase payments or other funds received by the Authority; authorizing the execution of trust and security instruments relating to the Authority's property to secure the payment of such revenue bonds; providing that no debt of the State or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this Act and no State or local public funds shall be appropriated for the use of the Authority created by this Act; making such revenue bonds issued under the provisions of this Act, their transfer and the income therefrom, shall at all times be free from taxation of every kind by the State and by political subdivisions of the State; and fixing the venue for jurisdiction of actions relating to any provisions of this Act.

By Mr. Hilliard:

S. 247. To confer upon governing bodies of counties in which public transit service is provided the power to levy and collect a county sales tax, or a county license tax, or to levy and collect both of said taxes, subject to the condition that any tax levied under the act shall be used solely for the purpose of providing public transit service within the county and to the other limitations and conditions enumerated in the act, to limit the rates of such taxes, and to provide an exemption from any tax levied hereunder within areas not receiving transit service and within any municipality which levies, collects, and pays over to any public transit operating body organized under the laws of Alabama the proceeds of a tax, or taxes, similar to that levied by the county which is identical as to rate and incidence of taxation.

By Messrs. deGraffenried, Mitchem, Martin and Gullledge:

S. 196. To provide for a state income tax refund check off designation for the support of nongame wildlife programs in Alabama.

By Mr. Miller:

S. 471. To provide that the retirement income of military personnel shall be exempt from state, county and municipal income taxes the same as the exemptions provided for by sub-sections (a) (1) (2) (3) of Section 40-18-19 Code of Alabama 1975.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Sasser:

H. 240. To amend Act No. 81-965, the FY 82 Education Appropriation Act, to move \$735,521 from capital outlay to general operating and maintenance purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 240. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Cheatwood, Trammell and Boles (with notice and proof):

H. 408. Relating to Jefferson County; to provide certain health benefits to members of the General Retirement System for Employees of Jefferson County who have retired on a superannuation or disability until said member reaches eligibility for Medicare and/or Medicaid, and to provide for the funding of said benefits.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 408, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Dixon:

H. 205. To amend Sections 32-6-254 and 32-6-250, Code of Alabama 1975, relating to Medal of Honor Recipients and Prisoners of War distinctive

license plates, so as to provide that said plates shall be permanent and that certain allied prisoners of war shall receive said plates.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 408. To the Committee on Local Legislation No. 2.

H. B. 205. To the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Naramore, Waggoner, Hall, Patton, Roberts, Bowling, Olive, Howard, Trammell, Starkey, Wyatt, Coburn, Albright, Sasser, Williams, Blake, Harper (O), Laird, Escott, Brakefield, Higginbotham, Campbell, Zoghby, Langford, Mitchell, Bedsole, Biddle, Cheatwood, Moore, Boles, Gafford, Letson, Rains, Kelley, Stewart, Turnham, Bennett and Holmes:

H. 147. To extend the state employees' retirement system and any state employees' insurance plan to members of the legislature, who for the purpose of coming within the provisions of these plans shall be considered "state employees"; providing that the legislators shall on a voluntary basis elect whether or not they choose to take part in the retirement system or insurance plan; and that the total compensation paid members of the Legislature including per diem, wages, fees, travel and expense allowances and all other forms of compensation shall, for the purposes of this Act, be considered as salary for the purpose of making deductions for the insurance and retirement plans.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 147. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Albright (with notice and proof):

H. 712. Relating to Madison County; providing expense allowances for certain county officials.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 712, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hall (with notice and proof):

H. 749. Relating to Madison County; authorizing the sheriff to charge a fee for fingerprinting certain persons; and providing for the distribution and auditing of such fees.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 749, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hall (with notice and proof):

H. 750. Relating to Madison County; authorizing the sheriff to operate a jail store; and providing for the distribution and auditing of moneys earned.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 750, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to the Standing Committee, as follows:

H. B.'s 712, 749, and 750. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Blake (with notice and proof):

H. 718. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 718, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Edwards (with notice and proof):

H. 733. To provide for a certain increase in court costs in the Wilcox County division of the Fourth Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Wilcox County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 733, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Edwards:

H. 734. To propose a constitutional amendment regarding the altering of costs and charges of courts in Wilcox County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 718, 733, and 734. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 734, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clark (G):

H. 165. To further regulate the taxation of beer by levying an exclusive statewide local privilege or excise tax on every person licensed under the provisions of Title 28, Article 3A, Code of Alabama 1975, who sells, stores, or receives for the purpose of distribution, beer; to provide for the collection and distribution of the proceeds of said tax; to authorize county and municipal license fees; to provide for penalties; to proscribe unlawful acts and offenses and prescribe punishment therefor; to provide for eligible counties a phase-out system of net revenue loss from local beer tax; and to supersede and repeal all local taxes, county and municipal, levied on or measured by the sale of beer, except general sales taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 165. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turner (with notice and proof):

H. 216. Relating to Mobile County; to alter or rearrange the boundary lines of the Town of Creola.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 216, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Harper (T) (with notice and proof):

H. 597. Relating to Mobile County and specifically to the Mobile Board of School Commissioners and all full-time employees of the Board requiring use of funds from certain portions of revenue received from ad valorem taxes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 597, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Bedsole and Harper (T) (with notice and proof):

H. 661. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 661, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Harper (T) (with notice and proof):

H. 682. To authorize the creation of a public corporation in Bayou La Batre, Mobile County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of

such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations thereof; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; exempting such bonds and the property of the corporation from taxation; and providing that no debt of a state, political subdivision or any municipality thereof shall be incurred in the exercise of any of the powers granted by this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 682, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Sandusky:

H. 721. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901 authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$12,000,000 in principal amount for certain County Jail Facilities (as defined herein), to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said Constitution, as amended; authorizing Mobile County to lease from any public corporation or any private person, firm or corporation any such County Jail Facility (whether or not any such bonds are issued) and to apply, pledge or appropriate proceeds of the said special tax for payment of any such lease obligations; providing that none of the said bonds or any of the said lease obligations shall be chargeable against the limitation on the indebtedness of Mobile County contained in Section 224 of said Constitution and specifying certain details pertaining to the said bonds and leases.

Also:

By Rep. Sandusky (with notice and proof):

H. 751. To Amend Section Five of Act No. 651, H. 377, Regular Session 1975 (Acts 1975, P. 1408) which provides retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 751, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B's 216, 597, 661, 682, 721, and 751. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 721, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Adams (H) and Drinkard:

H. J. R. 292. NAMING THE COOSA RIVER BRIDGE IN POLLARD'S BEND, CHEROKEE AND ETOWAH COUNTIES, ALABAMA, "THE GUY HIGGINS-MORRIS L. NELSON BRIDGE."

WHEREAS, the construction of the Coosa River Bridge in Pollard's Bend, Alabama, was actively advocated both by Mr. Morris L. Nelson of Etowah County and Mr. Guy Higgins of Cherokee County; and

WHEREAS, the completion of the project is a monument to the dedication of these outstanding community leaders who have both long been involved in county affairs, in community improvement programs and in further service to their fellow citizens in all areas; and

WHEREAS, it is altogether fitting that Messrs. Higgins and Nelson, in some small way, be honored for their involvement in and contributions to the well-being of their respective communities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Coosa River Bridge in Pollard's Bend, in Cherokee and Etowah Counties, Alabama, is hereby named and designated as "The Guy Higgins-Morris L. Nelson Bridge."

BE IT FURTHER RESOLVED, That in identifying said bridge, the proper authorities shall erect and maintain appropriate signs and markers so designating the bridge as "The Morris L. Nelson-Guy Higgins Bridge" in Etowah County, and as "The Guy Higgins-Morris L. Nelson Bridge" in Cherokee County.

RESOLVED FURTHER, That both Mr. Nelson and Mr. Higgins receive a copy of this resolution as a memento of this honorary designation of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 292, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 143. To amend Section 16-28-1, Code of Alabama 1975, to include a definition of church school, to amend Sections 16-1-11, 16-4-16, 16-28-3, 16-28-7, 16-28-8, 16-28-15, 16-28-23, and 16-40-1 to provide an exclusion for church schools from state control and reporting requirements and to further provide for parental responsibility for attendance of each child.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Rep. Holmes:

H. J. R. 293. HONORING DR. ROBERT L. RANDOLPH UPON HIS INAUGURATION AS PRESIDENT OF ALABAMA STATE UNIVERSITY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 293, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Mitchell and Manley:

H. J. R. 286. MOURNING THE DEATH OF DR. ERIC RODGERS, NOTED PHYSICIST AND FORMER DEAN OF THE GRADUATE SCHOOL, UNIVERSITY OF ALABAMA.

Also:

By Reps. Naramore, Brakefield, Gilmer and Cobb.

H. J. R. 287. EXPRESSING APPRECIATION OF THE LEGISLATURE TO MR. CARL ELLIOTT, A DISTINGUISHED ALABAMIAN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 286 and 287, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Johnson (Roy), Barton, Owens and Howard:

H. J. R. 294. NAMING A SOFTBALL FIELD IN BOWERS PARK, TUSCALOOSA, ALABAMA, THE "JERRY EUGENE JONES SOFTBALL FIELD."

WHEREAS, Mr. Jerry Eugene Jones was a native and lifelong resident of Tuscaloosa County, Alabama, and at the time of his death on March 5, 1981, was a resident of Cottondale; and

WHEREAS, he was a United States Air Force veteran, a Mason and Shriner, and also was a member of the Elks and the Jaycees; and

WHEREAS, Mr. Jones, who was the owner of American Fence Company, had himself played softball in Tuscaloosa and later sponsored three teams in that city; and

WHEREAS, it is entirely fitting that Mr. Jones be appropriately honored for his longtime civic involvement and, most particularly, for his active support of the softball program in Tuscaloosa; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate a softball field in Bowers Park, Tuscaloosa, Alabama, the "Jerry Eugene Jones Softball Field."

BE IT FURTHER RESOLVED, That the proper authorities are directed to erect and maintain appropriate signs and markers so designating such field as the "Jerry Eugene Jones Softball Field."

RESOLVED FURTHER, That a copy of this resolution be provided for Mr. Jones' wife and their two daughters, as a memento of this honorary designation of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 294, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Turnham:

H. J. R. 298. COMMENDING DOCTOR DONALD E. DAVIS FOR HIS SERVICES TO AUBURN UNIVERSITY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 298, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers, Bedsole, Johnson (R.G.), Roberts, Dixon and Stout:

H. 300. To provide for the participation by the State of Alabama in the Southeast Interstate Low-Level Radioactive Waste Compact; to provide for the designation of this state's members on the Southeast Interstate Low-Level Radioactive Waste Commission; to provide for the acquisition of property and the operation of a treatment, storage or disposal site; to require a faithful performance bond in the amount of \$2,000,000; to create a Radiation Safety Fund; to provide for the collection of fees; appropriates \$25,000 from the general fund to the Southeastern Low-Level Radioactive Waste Commission; and provides penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 300. To the Committee on Health and Welfare.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Starkey:

H. 9. To validate, in certain cases, port authorities attempted to be incorporated under the provisions of Act No. 80-647 adopted at the 1980 Regular Session of the Legislature of Alabama (Sections 11-94-1 et seq. of the Code of Alabama 1975, as amended) and invalid because of any irregularity in the procedure for incorporation.

Also:

By Rep. Moore:

H. 722. To amend Section 16-13-211 of the Code of Alabama 1975, which relates to warrant anticipation notes issued by local boards of education and borrowing money in anticipation of the issuance of such warrants, so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

Also:

By Rep. Cheatwood:

H. 241. To amend Section 11-50-393, Code of Alabama 1975, so as to authorize and increase in the fees payable to members of the board of directors; to provide for the election of a chairman of the board of directors; to provide an effective date.

Also:

By Reps. Williams, Sasser, Grimsley and Daniels:

H. 253. Relating to the eradication and control of swine diseases; to make an appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1983, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 9. To the Committee on Governmental Affairs.

H. B. 722. To the Committee on Education.

H. B. 241. To the Committee on Commerce, Transportation, and Utilities.

H. B. 253. To the Committee on Finance and Taxation.

RECESS

At 7:30 A.M., Mr. Gullledge moved that the Senate take a recess until 2:30 this afternoon; he further moved that, at that time, the Senate will resume its regular order of business, with the understanding that at 4 o'clock P.M. debate on the Bill, H. B. 161, will resume, and that a vote will be taken on said bill at 4:30 P.M.

Which motion was adopted, and, at 7:35 A.M., the Senate took a recess until 2:30 this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor McMillan. A quorum of the Senate was present.

CERTIFICATE OF ELECTION

STATE OF ALABAMA

I, Don Siegelman, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that it appears from the returns of the election held on April 6, 1982, received in this Department in accordance with law, that the following named person was elected to the Alabama State Senate for the unexpired term of the Honorable Bishop Barron, from the Twenty-seventh District:

BARRY TEAGUE

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, on this day April 7, 1982.

DON SIEGELMAN.
Secretary of State.

OATH OF OFFICE

Upon the request of the President and Presiding Officer of the Senate, Honorable George McMillan, the Senator-elect Teague came forward, presented his credentials, and Judge Sam Taylor administered to him the oath of office prescribed by the Constitution of the State, and Senator-elect Teague came forward and subscribed his name to the oath of office as follows:

I, Barry Teague, solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability. So help me God.

SAM W. TAYLOR,
Circuit Judge.

RESOLUTIONS

Mr. Gullledge offered the following Senate Resolution, to-wit:

S. R. 225. COMMENDING MR. STEVEN GRANT OF ROBERTS-DALE HIGH SCHOOL FOR OUTSTANDING ATHLETIC AND ACADEMIC ACHIEVEMENT.

Which was adopted.

Messrs. Callahan, Bailey, Britnell, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Vacca, Weeks and White offered the following Senate Joint Resolution, to-wit:

S. J. R. 226. MEMORIALIZING CONGRESS TO REINSTATE THE BURIAL ALLOWANCE AFFORDED CERTAIN VETERANS.

WHEREAS, the Legislature of Alabama hereby takes note that the Veterans Administration has eliminated the three hundred dollar burial allowance for certain wartime veterans; and

WHEREAS, the veterans of World War II and the Korean Conflict are reaching the age to be considering the consequences of their advancing age; and

WHEREAS, the majority of these veterans do not receive compensation or pension, and are not in the higher income brackets; and

WHEREAS, the Rehabilitation Commission of the American Legion, Department of Alabama, has recommended the reinstatement of the three hundred dollar burial allowance, retroactive to October 1, 1981, to all veterans previously entitled to this benefit; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most urgently memorialize

the U. S. Congress to restore the burial allowance to all veterans and that copies of this resolution be sent to each member of the Alabama Congressional Delegation.

On motion of Mr. Callahan, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Callahan then offered the following Senate Joint Resolution, to-wit:

S. J. R. 227. MEMORIALIZING THE CONGRESSIONAL DELEGATION OF THE STATE OF ALABAMA TO OPPOSE ANY CURTAILMENT OF MEDICAL CARE FOR VETERANS.

WHEREAS, the Alabama Legislature notes that the Veterans of World War II will soon be eligible for free medical care in Veterans Administration Hospitals and Medical Centers; and

WHEREAS, the Veterans Administration Administrator, Robert Nimmo, has released to the National Press and had published by local newspapers articles concerning his intention of drawing up plans to be submitted to the U. S. Congress, specific plans to eliminate benefits for all World War II and Korean Veterans relating to hospital care at age 65 and older in Veterans Hospitals and Medical Centers; and

WHEREAS, this medical care, with no strings attached, is provided by laws already enacted by Congress; and

WHEREAS, that 2.4 million World War II Veterans and 6 million Korean Veterans will become eligible for this free medical treatment at the age of 65 years at Veterans Administration Hospitals and Medical Centers; and

WHEREAS, the VA Administrator does not state that there are at present 3.3 million veterans age 65 years and older now on the VA rolls; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does memorialize the United States Congress to oppose any curtailment of medical care benefits to veterans.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to members of the Alabama Congressional Delegation that they may know of our concern.

On motion of Mr. Callahan, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 55. Relating to Walker County; to provide that certain telephone calls that originate and terminate in Walker County shall be charged as local calls; granting the Public Service Commission the power to promulgate rules and regulations to implement the provisions of this Act; and providing exemptions from the provisions of this Act for certain Walker County residents.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Brakefield, Naramore and Owens.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. St. John, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 55, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor
Bailey	Hilliard	Mitchem	Teague (B)
Britnell	Holmes	Parsons	Teague (J)
Callahan	Keener	Pearson	Vacca
Cook	Kirkland	Proctor	Weeks
Denton	Little	St. John	White
Goodwin	Martin		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs. Hall, Keener, and St. John.

RESOLUTIONS

Messrs. Mitchem and deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 228. HONORING MR. JOHN HANNAH FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT, AND AS AN EXEMPLAR OF CHRISTIAN PRINCIPLE.

WHEREAS, John Allen Hannah of Crossville, Alabama, is a graduate of Albertville High School, an All-State High School football star, a state champion heavyweight wrestler and the recipient of the Wilbur Hutsel Track Award; and

WHEREAS, at the University of Alabama, lettering in football, wrestling and track, John Hannah's honors as a Crimson Tider included Consensus All-American, Kodak All-American Team Captain, College Football Hall of Fame, the Jacob Trophy, the Helm Foundation "Gipper" Award, and a record number of votes for a lineman for Heisman consideration; and

WHEREAS, John Hannah, as a New England Patriot, was the fourth player to be drafted in the first round pro draft of 1973; he has since been selected five times as an All-Pro, was NFL's Offensive Lineman of the Year for five consecutive years, and is considered by many experts to be the top offensive lineman in the history of pro football; and

WHEREAS, though John Hannah's athletic achievement is a matter of record, his deep involvement in Christian service to others is considerably less well-known, entirely in keeping with his profound humility; and

WHEREAS, he has been a member of the Fellowship of Christian Athletes for a number of years, actively espousing its purpose of serving the

cause of Christ in witnessing to youth, and giving such witness through sincere conviction and abiding faith; and

WHEREAS, in further Christian discipleship, John Hannah also established and directed, with the assistance of other Pro Christian Athletes, the John Hannah Pro Christian Football Camp in Albertville; during its four years of operation, the non-profit camp provided hundreds of teenage boys an opportunity to experience the challenge and fun of football and to live and learn in an atmosphere of Christian fellowship and worship; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly praise and commend Mr. John Allen Hannah, an Alabamian of outstanding athletic achievement, but primarily a faithful follower of our Lord Jesus Christ.

On motion of Mr. Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Little and Higginbotham offered the following Senate Joint Resolution, to-wit:

S. J. R. 229. MOURNING THE DEATH OF ILAH NATION DEAN OF OPELIKA, ALABAMA.

WHEREAS, the Alabama Legislature has noted with a sense of deep regret the death of Mrs. Ilah Nation Dean of Opelika, Alabama, on March 19, 1982; and

WHEREAS, Mrs. Dean was the mother of our friend and legislative colleague, Representative Shelby Dean Ward, and is survived by her husband Mr. Homer A. Dean and two other daughters, Mrs. Novella Dean Gray and Mrs. LaNell Dean Black; and

WHEREAS, Mrs. Dean was a longtime resident of Opelika and an active and faithful member of the First Baptist Church and was involved in girl scout work and numerous other civic activities; and

WHEREAS, Mrs. Dean was a gracious Christian lady who stood ever ready to contribute to the needs of her neighbors and for the progress and betterment of her community, state and country; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mrs. Ilah Nation Dean of Opelika, Alabama, and direct that her family receive a copy of this resolution in expression of our care and concern for them in their time of such great sorrow.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Little, Bailey, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Weeks and White offered the following Senate Resolution, to-wit:

S. R. 230. EXPRESSING APPRECIATION TO SENATOR PASCHAL P. VACCA FOR A SUCCESSFUL SENATE REUNION.

WHEREAS, the entire Senate delegation, as well as past members of this body, are indeed grateful to our friend and colleague, Senator Paschal P. Vacca, for the successful 1982 Senate Reunion celebrated in Mock Session on April 1, 1982; and

WHEREAS, through further arrangements by Senator Vacca, refreshments for the occasion were furnished by the Bruno Corporation of Birmingham, to whom we are most grateful, as well as to Mr. James Jefferson of Food World in Montgomery; and

WHEREAS, the reunion, which was hosted as well as arranged by our Senate Dean, also provided an opportunity for many former Senators to once again hold forth at the microphone; and

WHEREAS, Senator Charlie Britnell offered the following invocation on our behalf which is recorded in its entirety;

Our Father, even though the Senate is in a spirit of light-heartedness, nevertheless we pause to acknowledge your sovereignty and to thank you for your many gifts.

Among those blessings is the gift of humor, without which life would be dull and boring, marriages would be strained to the breaking point, and this Senate would often lose its sanity. We remember that even in the life of our Lord there is often the example of subtle wit.

We thank you now for this occasion and for the many former members of this body who have returned for this hour of recognition and fun. We are grateful for the wisdom, either theirs or their electorate, that has elevated them to the exalted status of former state senators. May their tribe increase, but not this year, please.

We pray now in the words of Augustine: "Lord, make us holy and pure, but not now." So we ask, not just now. Just for one hour allow us to stretch the truth a little, strain proper decorum, and release the mischief reserved for "April foolishness."

Then may we quickly return to the real world of commitment to truth which shall make us free spiritually, nationally, and individually.

Through Christ we pray.

Amen.

now therefore,

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That we most highly commend our colleague, Senator Pat Vacca, on the tremendous success of our 1982 Senate Reunion; we express our sincere appreciation to him and to all those whose contributions and/or participation were integral to the Reunion's festivities and direct that they receive copies of this resolution.

Which was adopted.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Bill and Senate Joint Resolution with the original Senate Bill and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 170. COMMENDING MAJOR GENERAL CARL HERBERT McNAIR, JR., COMMANDING GENERAL, UNITED STATES ARMY AVIATION CENTER, FORT RUCKER, ALABAMA.

Also:

S. 143. To amend Section 16-28-1, Code of Alabama 1975, to include a definition of church school, to amend Sections 16-1-11, 16-4-16, 16-28-3,

16-28-7, 16-28-8, 16-28-15, 16-28-23, and 16-40-1 to provide an exclusion for church schools from state control and reporting requirements and to further provide for parental responsibility for attendance of each child.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 295. EXTENDING WARM BEST WISHES TO MR. McDOWELL LEE, SECRETARY OF THE ALABAMA SENATE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE OF CONFERENCE

ON SENATE BILL 261

We, the Committee on Conference appointed to reconcile the differences of the two houses concerning Senate Bill 261, have met in conference and have agreed to the following report:

Continue the State Board of Barber Examiners as set forth by the Substitute passed by the Senate with a Conference Committee modification, both of which are attached and incorporated as part of this report.

The modification is as follows : Delete Section 5, page 13, lines 14, 15 and 16 and insert in lieu thereof the following new Section 5:

Section 5. Sections 34-5-1 through 34-5-16 of the Code of Alabama 1975 are hereby expressly repealed and superseded. All other laws or parts of laws in conflict herewith, except Act No. 661, H. 978, 1951 Regular Session (Acts 1951, p. 1125), as amended, are hereby repealed.

BOB HALL,
BOBBY DENTON,
DEWEY WHITE,

Conferees on the part of the Senate.

DUANE LEWIS,

WAYNE COBB,

CHARLES WHATLEY,

Conferees of the part of the House.

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 261

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Board of Barber Examiners as presently provided in Sections 34-5-1 through 34-5-16 of the Code of Alabama 1975; with certain modifications; to repeal said Sections 34-5-1 through 34-5-16, and to provide for the board of barbering and the regulation of the practice of barbering and teaching of barbering as provided for in the provisions of law in Section 4 hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of the State Board of Barber Examiners, and voted to recommend the continuance of the board presently created and functioning pursuant to Sections 34-5-1 through 34-5-16, Code of Alabama 1975, with the additional recommendations for statutory changes of the board as set out in Section 4 hereof.

Section 2. The Legislature concurs in the recommendation of the Sunset Committee provided in Section 1 of this Act.

Section 3. The existence and functioning of the State Board of Barber Examiners, presently created and functioning pursuant to Sections 34-5-1 through 34-5-16 of the Code of Alabama 1975, are hereby continued.

Section 4. The following bill, when enacted by the passage of this act, shall replace the provisions of Title 34, Sections 34-5-1 through 34-5-16, Code of Alabama 1975:

A BILL
TO BE ENTITLED
AN ACT

"Establishing a state board of barber examiners and prescribing procedures for the licensing and practice of barbering and barber colleges and providing penalties for violations of this act.

Be It Enacted by the Legislature of Alabama:

"Section 1. The Practice of Barbering' as used in this act is hereby defined to mean any one or combination of the following practices, when done upon the human body above the seventh cervical vertebra for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, directly or indirectly or without payment for the public generally.

"Section 2. There is hereby created the Alabama Board of Barber Examiners, hereinafter referred to as 'board' or 'state board,' to consist of five (5) persons. Those individuals currently serving on the Alabama Board of Barber Examiners shall continue to serve until their terms are completed, and thereafter the Governor shall appoint members to the board for a term of four (4) years and until their successors are appointed and qualified. At the first meeting of the board under the provision of this act, the members shall divide the state into three districts and shall select three of their number to be representatives from each district. The remaining two members shall serve as members at large. The districts should be drawn so that they are as nearly as practical of equal population and should divide the state into a northern, a middle and a southern district. No more than two (2) members of the Barber commission shall be from any one district. Each member of the said board shall be a practicing registered barber, who has followed the occupation of barbering for five continuous years in Alabama prior to his appointment. Vacancies caused by death, resignation or otherwise shall be filled by the remaining members of the board. Members appointed to fill vacancies shall serve for the unexpired term of their predecessors. The board is hereby empowered to promulgate and amend rules and regulations for the registration, licensing, inspection, qualification, certification, examination, the renewals of registration, and the renewal of licenses of barbers, those who employ barbers, apprentice barbers, student barbers, barber shops, barber colleges, barber schools and to provide for courses and the duration thereof for the instruction of student barbers. Provided, however, no course of instruction for student barbers shall be less than fifteen hundred hours in duration. The board may from time to time promulgate any other rules and regulations it deems necessary and which are compatible with the provisions of this act and state health department regulations. The members of the board shall annually elect from its membership a chairman and a vice-chairman and shall appoint an executive secretary. The board shall be empowered to employ adequate personnel to properly enforce the provisions of this act. The compensation of said personnel shall be paid out of the funds received by the board. All employees of the board shall serve at the pleasure of the board. The executive secretary and all employees that handle money, before entering upon the discharge of their duties, shall file with the treasurer of the state of Alabama, a good and sufficient bond in the amount of \$10,000, payable to the state of Alabama, to ensure the faithful performance of their duties and the premium on such bond shall be paid out of the funds of the board. The executive secretary of the board shall be paid a salary as determined by the board, to be paid semimonthly and shall be reimbursed on necessary travel expenses and other incidental expenses incurred in the discharge of his official duties, when properly vouchered and authorized by the board. Each member of the board shall receive compensation fixed by the board, not to exceed \$60.00 per diem while engaged in the discharge of official duties, and necessary expenses plus mileage as set forth by the state of Alabama for necessary travel incurred in such official duties, not to exceed 30 days in any one calendar year. The compensation and expenses as herein provided and other expenses authorized by this act shall be paid from the fund derived from the operations of this act. The initial meeting of the board under the provisions of this act shall be on the second Monday in July, 1981. Thereafter, the board shall meet in the City of Montgomery during the month of January, April, July, and October on a day to be determined by board resolution, and at such other times and places that the Board may direct. The majority of the members of the board shall constitute a quorum for the transaction of business. The board shall prescribe rules for its government and have a seal with which to authenticate its acts. The board shall keep a permanent record of its

proceedings, rules and regulations. It shall keep a register of applications for certificates of licenses showing the names and locations of the applicants' places of occupation or business and whether such applicants were granted or refused licenses. The books and records of the board shall be *prima facie* evidence of the matters therein contained, which constitutes public records and shall at all reasonable times be open for public inspection. The state board of barber examiners shall work with, seek the advice of and cooperate with the state health department on all matters of sanitation in regard to inspection of barber shops, barber schools and barbers in the state of Alabama. The state board shall work with, seek the advice of and cooperate with the state department on matters of establishing education curricula for applicants for barber schools or apprentice licenses or for a certificate as a journeyman barber.

"Section 3. The board shall have the power to refuse, revoke and suspend licenses and certificates under its rules and regulations and in accordance with the provisions of this act upon proof of violation of any sections of this act. The members of the board shall have the power to administer oaths and shall have the power to require the attendance of witnesses and the production of books, records and papers as it may desire at any hearing on any matter which the board has the authority to investigate, and for that purpose may require the secretary of the board to issue a subpoena *duces tecum* to compel the production of any books, records or papers, directed to the sheriff of the county where such witnesses resides or may be found; such subpoenas shall be served and returned in the same manner as subpoenas in a criminal case are served and returned. The fees and mileage of the sheriff and witnesses shall be the same as allowed in the circuit courts of this state. Such fees and mileage shall be paid from the fund of the board on deposit in the treasury for the use of the board in the same manner as other expenses of the board are paid. The board must subpoena all witnesses from whom subpoena is requested by the applicant, licensee or holder of a certificate; provided, however, that such request shall be made in writing to the secretary of the board at least 10 days prior to the date set for the hearing. All fees and mileage of the sheriff and witnesses subpoenaed at the request of such applicant, licensee or holder of a certificate shall be paid by the applicant, licensee or holder of a certificate and execution may issue therefore in civil cases in the circuit courts of this state. The board may refuse to grant or may revoke or suspend any certificate or license issued in any case where the holder of or applicant for such license or certificate shall have been guilty of fraud or dishonest conduct in the taking of the examination herein provided for, or shall be guilty of unprofessional or dishonest conduct, or shall be addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or professions set forth in this act, or who shall advertise by means of knowingly false or deceptive statements, or who shall fail to display the license or certificate issued to him as provided for in this act. Provided, however, the board shall not on any of the grounds in this section states, refuse to issue or renew any license or certificate, nor shall it revoke or suspend any such license or certificate already issued, except after hearing, of which applicant or licensee or the holder of the certificate affected shall be given at least 20 days notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in case of a suspension or revocation, the offense or offenses of which the licensee or the holder of the certificate or registration is charged. Such notice may be served by mailing a copy thereof by registered mail to the last known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe, provided,

however, that such hearing must be held in the county in which such applicant, licensee or holder of a certificate has his or her place of business. Findings made by the board shall be deemed conclusive, unless within thirty (30) days after notice of the decision of the board has been given, an aggrieved party shall appeal said findings or ruling to the circuit court of the county of his residence, or to the circuit court of Montgomery County. In the event of such appeal, the circuit court shall hear the same de novo. Such appeal shall be taken by the filing with the board and the clerk of the circuit court of a petition stating the aggrieved person's desire to appeal said findings, and said petition shall specify whether the appeal is taken to the circuit court of the county of his residence or to the circuit court of Montgomery County. Such aggrieved person shall have a right to demand trial by jury by demanding same at the time of the filing with the board of the notice of appeal. The action of the board shall be stayed pending such appeal. The circuit court shall have the right to affirm, reverse or affirm in part, or reverse in part, the finding of the board and shall render such final judgement as to the court may seem just and proper. In the event the decision of the board is affirmed, the cost of such appeal shall be taxed against the party taking such appeal. In the event the decision of the board is not affirmed in whole, the court shall in its discretion tax such cost of appeal against the board or against the person taking such appeal or partly against each; and the court in its discretion may award a reasonable attorney fee to the attorney for the party taking such appeal as part of such cost, in the event the decision of the board is not affirmed in whole.

"Section 4. (a) No person shall engage in the practice of barbering without a certificate of registration as a registered barber, issued by the board of barber examiners.

"(b) No person shall permit any person in his employ or under his supervision or control to practice as a barber or as an apprentice unless the latter has a certificate of registration as a registered barber or apprentice, issued by the board of barber examiners.

"(c) No person shall operate a barber shop unless it is at all times under the direct supervision and management of a registered barber who is engaged in barbering full time in the same shop.

"(d) No registered apprentice may independently practice barbering, but he may as an apprentice, do any and all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber, who is engaged in barbering full time in the same shop. No barber shop will have more than three apprentice barbers at one time.

"(e) Students in certified barber colleges may perform acts including the practice of barbering, but only as part of their clinical training and only on persons who have consented thereto after they have been specifically advised in advance that the student is not a registered barber or apprentice, but only a student in training.

"(f) Students entering barber school must register with the board of barber examiners and furnish a current health certificate, and pay an application fee of five dollars (\$5.00).

"(g) The examination of applicants for a license to practice a classified profession as designated under this act shall be conducted under the rules prescribed by the board of barber examiners and shall include both practical demonstrations, written and oral tests in reference to the practices for which a license is applied and such related studies as subjects for which a license is

applied and such related studies or subjects as the board may determine necessary for the proper and efficient performance of such practices.

"Section 5. (a) Any person who can establish within six (6) months after the passage of this act that he is a barber or an apprentice as defined under this act and can establish reasonable proof that he is practicing barbering in a barber shop under sanitary conditions will be given a certificate to practice barbering or apprentice certificate without any examination upon paying the required fees as prescribed by this act. This section shall not be construed to mean anyone except the barbers now practicing in the state of Alabama and instructors in barber colleges.

"(b) All instructors operating under the state vocational schools shall be exempt from qualifying fees. Such instructors shall receive an instructor's certificate by paying the annual renewal fee as prescribed in this act. All future instructors shall be subject to all provisions of this of this act relating to instructors or assistant instructors.

"(c) All state operated barber colleges shall be exempt from fees.

"Section 6. The holder of a certificate or license issued by said board as provided by this act, who continues in active practice of said profession within the meaning of this act, shall on or before the first day of January each year renew his or her certificate or license and pay the renewal fee. A certificate or license which has not been renewed prior to the 31st day of January of that year shall expire on the 1st day of February of that year. The holder of the expired certificate or license may have within three (3) years of the date of expiration the certificate restored upon the payment of the required renewal fee and satisfactory proof of his or her qualifications to resume practice or profession.

"Section 7. Any person, firm or corporation that engages in any of the practices designated to be within the meaning of this act, or acts without a certificate or license in any capacity wherein a certificate or license is required as provided in this act, or shall in any other manner violate any of the provisions of this act shall be guilty of a Class B misdemeanor and shall be punished as provided by law. After official notice of such violation, each day of operation or practice constitutes a separate violation.

"Section 8. The various fees to be paid by the applicants for original registration, original license, annual renewals and examinations as required under this act shall be as follows:

"(1) For an examination to determine the qualification of an applicant, not to exceed \$20.00;

"(2) for an examination to determine the qualification of an applicant from another state, not to exceed \$50.00;

"(3) for an examination to determine the qualifications of an applicant to receive a certificate of registration as an instructor or assistant instructor not to exceed \$30.00;

"(4) for the issuance of the initial certificate to operate a barber college, not to exceed \$300.00;

"(5) for annual renewal of an instructor's or assistant instructor's certificate, not to exceed \$30.00;

"(6) for each annual renewal of a certificate to operate a barber college, not to exceed \$150.00;

"(7) for the restoration of an expired certificate except for a barber college, not to exceed \$15.00;

"(8) for the restoration of an expired certificate for a barber college, not to exceed \$75.00;

"(9) for annual license for barber shop, not to exceed \$20.00, and \$10.00 for each additional barber or apprentice in said shop and annual barber certificate \$20.00; and

"(10) for issuance of any duplicate certificate, \$3.00.

"Every holder of a certificate of registration shall display same in a conspicuous place adjacent to or near his work chair in his place of employment.

"Section 9. All money, funds and other receipts received by the board shall be deposited in a depository which shall be a bank within the state designated by the board. Such funds shall be expended for carrying out the purpose of the act and may be withdrawn on order of the executive officer of the board. All such money and funds and other receipts are hereby appropriated for the use of the board for the necessary and proper expenses of the board and for carrying out the purposes of this act. The accounts of the board shall be examined annually by the office of the chief examiner of public accounts of the state of Alabama.

"Section 10. The provisions of this act and the rules and regulations established by the board under this act shall apply throughout the state. This act shall not repeal any provisions of the public health laws, the state sanitary code, or any local acts, or general acts of local application, or municipal ordinances, where the provisions thereof have standards, qualifications and requirements for the practice of barbering, the operation of barber shops or barber colleges equal to or higher than those provided herein, and such laws, codes, acts or ordinances shall remain in their entirety in full force and effect. Provided, however, that all other laws or parts of such laws in conflict with this act are hereby repealed.

"Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

Section 5. All laws or parts of law in conflict herewith are repealed, and Sections 34-5-1 through 34-5-16, inclusive, are hereby expressly repealed and superseded.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Hall, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 261. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Board of Barber Examiners as presently provided in Sections 34-5-1 through 34-5-16 of the Code of Alabama 1975; with certain modifications; to repeal said Sections 34-5-1 through 34-5-16, and to provide for the board of barbering and the regulation of the practice of

barbering and teaching of barbering as provided for in the provisions of law in Section 4 hereof.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Robertson
Bailey	Hall	Martin	St. John
Callahan	Higginbotham	Miller	Taylor
deGraffenried	Holmes	Mitchem	Teague (B)
Denton	Lemaster	Proctor	Vacca

—19

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 216. CREATING A SELECT JOINT COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS ON ALL REGULATIONS AND PROCEDURES RELATING TO THE OFFICIAL DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF THE DEPARTMENT OF FORENSIC SCIENCES.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 179. COMMENDING OLIVER ROBINSON, UAB.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 195. CONGRATULATING THE TUSKEGEE INSTITUTE TIGERETTES ON THEIR OUTSTANDING BASKETBALL SEASON.

Also:

S. J. R. 198. WISHING MR. JAMES V. "JAKE" JORDAN A SPEEDY RECOVERY.

Also:

S. J. R. 211. HONORING OUR DISTINGUISHED COLLEAGUE, SENATOR PASCHAL P. VACCA OF BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 151. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983.

And requests a Committee on Conference, and the Speaker of the House has named as a Committee on Conference on the part of the House Reps. Owens, Pegues and Sasser.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pearson, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 151, the title of which is set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Mitchem	St. John
Callahan	Holmes	Parsons	Taylor
deGraffenried	Kirkland	Pearson	Vacca
Denton	Little	Proctor	Weeks
Gulledge	Miller	Robertson	—18

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs. Pearson, Denton, and Mitchem.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Holmes, Jackson, Escott and Reed:

H. J. R. 302. WELCOMING THE NATIONAL CONFERENCE OF BLACK MAYORS OF ALABAMA.

Also:

By Rep. Williams:

H. J. R. 304. COMMENDING THE REVEREND DAVID CRAWFORD CURRY OF DALEVILLE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pearson, the Rules were suspended and the Resolution, H. J. R. 302, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Mr. Gullede, the Rules were suspended and the Resolution, H. J. R. 304, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Ray:

H. J. R. 306. ENDORSING AND COMMENDING SEPTEMBER 19, 1982 AS "FAMILY DAY."

WHEREAS, the Legislature of Alabama notes that the family is the basic unit of Western civilization; and

WHEREAS, Christians cherish the family where husband and wife are one in affection and respect and where children are a common bond of care and love; and

WHEREAS, the future of our community, state and nation rests squarely on the success of the family as an institution in rearing and nurturing our children; and

WHEREAS, present trends of teenage pregnancy and illegitimacy shake the foundation of the institution of the family; and

WHEREAS, the Charles Henderson Child Health Center, area ministers and other community organizations in Pike County and the City of Troy have set aside Sunday, September 19, as a day to honor and strengthen the family; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily endorse, support and commend Family Day, Sunday September 19, 1982, as a time for celebration and strengthening of the family and proclaim this concept as one worthy of emulation throughout our State and Nation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 306, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Letson:

H. J. R. 143. CREATING THE LEGISLATIVE JOINT INTERIM STUDY COMMITTEE ON PRISON WORK-RELEASE PROGRAMS.

WHEREAS, Governor Fob James, as receiver of the prison system, and the Board of Corrections continue under federal order mandating certain changes and improvements in the prison system and particularly with respect to overcrowding and related problems; and

WHEREAS, work-release programs designed to rehabilitate prisoners and making them productive are desirable when properly implemented and with selective candidates to insure the safety of our citizens; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a joint interim legislative committee which shall be composed of 8 members, 4 of which shall be appointed by each the President of the Senate and the Speaker of the House, the chairman to be selected by and from among the membership, shall be formed to examine all aspects of the operations of the Board of Corrections and any other departments or agencies involved in prison work-release programs. The committee shall be known as the Joint Interim Study Committee on Prison Work-Release Programs. The committee shall have subpoena powers and powers to punish for contempt. It shall make diligent inquiry and a full examination of Alabama's present and long term needs with respect to work-release and shall file reports of their findings and recommendations to the Alabama Legislature not later than the 10th legislative day of the 1983 regular session, on which date the interim committee hereby established shall automatically be dissolved.

Upon request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses incurred within the State for each day he attends a meeting of the committee when the Legislature is not in session or when the Legislature is in recess without pay. Each legislative member shall further be entitled to actual expenses for travel outside the State of Alabama which is deemed necessary by the Chairman and in accordance with the objectives of the committee. Such sums shall be paid out of any funds appropriated to the use of the Legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, the total of such sums shall not exceed \$7,000.00.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 143, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Minus:

H. J. R. 307. COMMENDING MR. B. B. WILLIAMSON OF LIVINGSTON, ALABAMA, ON HIS MANY YEARS OF SERVICE TO THE COMMUNITY AND THE STATE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 307, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 89. To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for six members of the Mayor's staff not subject to any merit system, and to provide how the maximum salary of such staff assistants shall be determined by the Mayor, and for the protection of salary and other rights of merit system employees appointed hereunder, and for the inclusion of appointees in the general pension system of the municipality upon application for such membership within thirty (30) days of appointment.

And the Speaker of the House has appointed as Committee on part of the House: Representatives Trammell, Howard and Escott.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Kirkland offered the following Senate Resolution, to-wit:

S. R. 231. MOURNING THE DEATH OF MRS. MARGARET SIMMONS WATSON OF MONROEVILLE, ALABAMA.

Which was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

S. 370. To amend Section 11-86-2, Code of Alabama 1975, which relates to county or municipal recreation boards created under the provisions of Chapter 86 of Title 11 of the Code of Alabama 1975, so as to provide that the membership of such boards may consist of not less than five nor more than nine members and to provide for the terms of office of any members authorized by this Act.

having been postponed on the Twentieth Legislative Day, was again taken up.

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Mr. Bailey requested and received permission to take up the Bill:

H. 531. To amend Section 11-86-2, Code of Alabama 1975, which relates to county or municipal recreation boards created under the provisions of Chapter 86 of Title 11 of the Code of Alabama 1975, so as to provide that the membership of such boards may consist of not less than five nor more than nine members and to provide for the terms of office of any members authorized by this Act.

in place of the Bill, S. B. 370.

And said Bill, H. B. 531, was read a third time at length and passed.

Yeas 14; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Robertson	
Bailey	Higginbotham	Miller	St. John	
deGraffenried	Holmes	Parsons	Weeks	
Goodwin	Little	Pearson		—14

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

On motion of Mr. Martin, further consideration of the Bill, S. B. 370, was indefinitely postponed.

The Bill:

S. 407. To provide in Madison County, Alabama, for the fee charged and collected for issuing any license to a person to carry a pistol in a vehicle or concealed on or about his person pursuant to Section 13-6-155, Code of Alabama 1975, as last amended; to provide for the distribution of such fees and for law enforcement; and to specifically repeal Act No. 489, H. 1034 of the 1975 Regular Session, relating to pistol permit fees in Madison County; and all conflicting laws.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John	
Bailey	Hilliard	McDonald	Smith	
Britnell	Holmes	Miller	Taylor	
Cook	Keener	Mitchem	Teague (B)	
Denton	Kirkland	Pearson	Vacca	
Goodwin	Lemaster	Proctor	White	
Gulledge	Little			—25

Nays: —0

The Bill:

S. 459. Relating to Walker County; providing for an additional fee for the issuance of a pistol permit fee by the sheriff; providing for the disposition and use of the proceeds therefrom; and repealing all laws or parts of laws in conflict with the provisions of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	Miller	Taylor	
Britnell	Holmes	Mitchem	Teague (B)	
Cook	Keener	Parsons	Teague (J)	
deGraffenried	Kirkland	Pearson	Vacca	
Denton	Lemaster	Proctor	Weeks	
Goodwin	Little	St. John	White	
Hall	Martin			—25

Nays:

—0

The Bill:

S. 509. Relating to Shelby County; to provide for an additional expense allowance for the Commission Chairman.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Taylor	
Bailey	Hilliard	Miller	Teague (B)	
Britnell	Holmes	Mitchem	Teague (J)	
Cook	Keener	Parsons	Vacca	
Denton	Kirkland	Proctor	Weeks	
Goodwin	Lemaster	Smith	White	
Gulledge	Little			—25

Nays:

—0

The Bill:

S. 512. Relating to county health officers or administrators in Calhoun County; authorizing such persons to issue official death certificates; and providing penalties for violation of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Little	St. John	
Bailey	Harrison	McDonald	Smith	
Britnell	Hilliard	Miller	Teague (B)	
Cook	Holmes	Mitchem	Teague (J)	
Denton	Keener	Parsons	Vacca	
Goodwin	Kirkland	Proctor	White	
Gulledge	Lemaster			—25

Nays:

—0

The Bill:

S. 516. To amend Section Five of Act No. 651, H. 377, Regular Session 1975 (Acts 1975, p. 1408) which provides retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	Miller	Smith
Bailey	Holmes	Mitchem	Teague (B)
Callahan	Keener	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Vacca
Denton	Lemaster	Proctor	Weeks
Gulledge	Little	St. John	White
Harrison	Martin		

—25

Nays:

—0

The Bill:

S. 517. RELATING TO SCHOOL DISTRICT ONE, MADISON COUNTY; Authorizing the County Governing Body of Madison County to levy, assess and collect franchise, excise and privilege license taxes in School District One, Madison County, in order to raise funds for the operation of the public schools in School District One, Madison County; providing certain limitations on the levying of the taxes; providing for the enforcement and collection of the tax and distribution thereof, and prescribing the purposes for which such proceeds may be used.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith
Bailey	Hall	McDonald	Teague (B)
Britnell	Higginbotham	Mitchem	Teague (J)
Cook	Hilliard	Parsons	Vacca
deGraffenried	Holmes	Pearson	Weeks
Denton	Keener	Proctor	White
Goodwin	Lemaster		

—25

Nays:

—0

The Bill:

S. 518. Relating to DeKalb County; directing and requiring the county commission to provide for holding a referendum election relative to the distribution of the payments made in lieu of certain ad valorem taxes by the Tennessee Valley Authority as authorized by Section 40-28-3, Code of Alabama 1975 and directing the DeKalb County Commission to provide for the

distribution of such funds in the manner approved by the majority of the voters at this referendum.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	St. John	
Bailey	Hilliard	Miller	Smith	
Britnell	Holmes	Mitchem	Taylor	
Cook	Keener	Parsons	Vacca	
Denton	Lemaster	Pearson	Weeks	
Goodwin	Little	Proctor	White	
Gulledge	Martin			—25

Nays:

—0

The Bill:

S. 520. Relating to the Town of Loxley in Baldwin County; authorizing the Town of Loxley to establish, purchase, construct, maintain, lease and operate a television cable system and to furnish television cable and auxiliary service to the residents of the town and to customers of the said board and in surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such board in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the utilities board transacting business pursuant to this Act from the jurisdiction and control of the Alabama Public Service Commission.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Britnell	Keener	Mitchem	Taylor	
Callahan	Kirkland	Parsons	Vacca	
Cook	Lemaster	Pearsons	Weeks	
Denton	Little	Proctor	White	
Gulledge	Martin			—25

Nays:

—0

The Bill:

H. 170. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said City all territory and property now within said corporate limits, and also certain other additional territory in Madison County, Alabama, and to provide for certain exemptions from ad valorem taxation with respect to said additional property.

was read a third time at length and passed.

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Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor
Bailey	Harrison	McDonald	Smith
Britnell	Hilliard	Miller	Taylor
Cook	Holmes	Mitchem	Vacca
Denton	Keener	Parsons	Weeks
Goodwin	Lemaster	Pearson	White
Gulledge	Little		

—25

Nays: —0

The Bill:

H. 572. Relating to DeKalb County; amending Act No. 372, S. 572, 1971 Regular Session (Acts 1971, p. 667), relating to the expense allowance of the coroner of the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.	Gulledge	Martin	Smith
Bailey	Hall	McDonald	Taylor
Britnell	Hilliard	Mitchem	Teague (J)
Callahan	Holmes	Pearson	Vacca
Cook	Keener	Proctor	Weeks
Denton	Lemaster	St. John	White
Goodwin	Little		

—25

Nays: —0

The Bill:

H. 573. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit for Jackson County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John
Bailey	Hall	Miller	Smith
Britnell	Hilliard	Mitchem	Taylor
Callahan	Holmes	Parsons	Vacca
Cook	Keener	Pearson	Weeks
Denton	Lemaster	Proctor	White
Goodwin	Little		

—25

Nays: —0

The Bill:

H. 591. Relating to the City of Huntsville in Madison County, to authorize the governing body of the City of Huntsville to appropriate and pay from any general funds of the City otherwise unappropriated, up to the sum of

\$3,000.00 for information leading to the arrest and conviction of the guilty person for any high crime or misdemeanor, in any case where the said governing body has, prior to the passage of this act manifested the intent of the governing body to appropriate any sum up to \$3,000.00 with respect to any high crime or misdemeanor heretofore committed, said sum to be paid only upon order of the Court before which such conviction was had.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor	
Bailey	Hilliard	McDonald	Smith	
Britnell	Holmes	Miller	Taylor	
Cook	Keener	Mitchem	Vacca	
Denton	Kirkland	Parsons	Weeks	
Goodwin	Lemaster	Pearson	White	
Gulledge	Little			—25

Nays: —0

The Bill:

H. 651. Proposing an amendment to the Constitution of 1901, relating to the judge of probate of Bullock County and the manner and method of compensating such officer.

was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Pearson	
Bailey	Hall	Martin	Proctor	
Britnell	Hilliard	McDonald	St. John	
Callahan	Holmes	Miller	Smith	
Cook	Keener	Mitchem	Taylor	
Denton	Kirkland	Parsons	Weeks	
Goodwin	Lemaster			—25

Nays: —0

The Bill:

H. 653. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores in Baldwin County

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Britnell	Keener	Mitchem	Taylor	
Callahan	Kirkland	Parsons	Vacca	
Cook	Lemaster	Pearson	Weeks	
Denton	Little	Proctor	White	
Gulledge	Martin			—25

Nays:

—0

The Bill:

H. 669. Relating to Lee County and to Macon County, Alabama; to permit any state or national bank with its principal place of business in Lee County to establish, maintain and operate, with the prior written approval of the State Superintendent of Banks for a state bank or of the Comptroller of the Currency for a national bank, one or more branches, branch banks or branch offices for the receipt of deposits, payments of checks, lending of money and conduct of a general banking business in Notasulga, Macon County, Alabama; to repeal all laws or parts of laws in conflict herewith; and to provide for an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Pearson
Bailey	Hall	Martin	Proctor
Britnell	Higginbotham	McDonald	Smith
Callahan	Holmes	Miller	Taylor
Cook	Keener	Mitchem	Teague (J)
Denton	Kirkland	Parsons	Weeks
Goodwin	Lemaster		

—25

Nays:

—0

The Bill:

H. 672. To provide for a certain increase in costs and charges of court in the Marengo County division of the Seventeenth Judicial Circuit of this state to be used to assist in service of process and service of subpoenas in civil and criminal court cases and for improvement of law enforcement by the sheriff of Marengo County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Little	St. John
Bailey	Harrison	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Parsons	Vacca
Cook	Keener	Pearson	Weeks
Denton	Kirkland	Proctor	White
Goodwin	Lemaster		

—25

Nays:

—0

The Bill:

H. 676. To amend Section 1 of Act No. 726, H. 1050, 1978 Regular Session (Acts 1978, p. 1051), relating to salary supplements for circuit judges in Morgan County, so as to provide further for such salary supplements and to provide for retroactive effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John	
Bailey	Hall	Miller	Taylor	
Britnell	Hilliard	Mitchem	Teague (J)	
Callahan	Holmes	Parsons	Vacca	
Cook	Keener	Pearson	Weeks	
Denton	Kirkland	Proctor	White	
Goodwin	Little			—25

Nays: —0

The Bill:

H. 678. To amend Section 2 of Act No. 458, S. 616 of the 1978 Regular Session of the Legislature relating to the compensation of the judge of probate of Morgan County, Alabama, so as to provide further for such compensation.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John	
Bailey	Hall	Miller	Taylor	
Britnell	Holmes	Mitchem	Teague (J)	
Callahan	Keener	Parsons	Vacca	
Cook	Kirkland	Pearson	Weeks	
Denton	Lemaster	Proctor	White	
Goodwin	Little			—25

Nays: —0

The Bill:

H. 679. Providing a certain expense allowance for the sheriff of Morgan County, Alabama, which shall become part of the base salary of \$26,000 per annum of said sheriff at the beginning of the next term of office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor	
Bailey	Hilliard	Mitchem	Teague (B)	
Britnell	Holmes	Parsons	Teague (J)	
Cook	Keener	Pearson	Vacca	
Denton	Kirkland	Proctor	Weeks	
Goodwin	Little	St. John	White	
Gulledge	Martin			—25

Nays: —0

The Bill:

H. 693. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Guntersville in Marshall County.

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was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Hilliard	McDonald	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Pearson	Weeks
Denton	Kirkland	Proctor	White
Goodwin	Lemaster		

—25

Nays: —0

The Bill:

H. 694. To create an Economic Development Council for Calhoun County for the purpose of promoting industry and trade and the economic development of said county; to provide for the organization, powers, functions, duties, funding, and personnel of such Council and to provide for the payment of the expenses of such Council; to provide for the issuance by the Council for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities payable from the revenues derived from the leasing or sale of any of its property and from any other or additional sources of revenue as may be specified; to provide that the Council may pledge for the payment of any bonds or obligations assumed by the Council any revenues from which those bonds or obligations are made payable; to authorize the Council to execute and deliver, as security for such bonds and obligations, mortgages, deeds of trust and trust indentures on such properties out of the revenues from which such securities are payable; to provide for the investment of funds of the Council; to authorize the sale or conveyance by the Council of any of its properties; to provide for the use of the proceeds of any such securities issued by the Council; to exempt the property and income of the Council and all securities issued by the Council and the income from such securities and conveyances, leases, mortgages and deeds of trust to which the Council is a party, from all taxation in the state; to exempt the Council from all taxation in the state; to exempt the Council from payment of certain charges to judges of probate; to exempt the Council from all laws of the state governing usury or prescribing or limiting interest rates; to exempt the Council from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to provide for the deposition of the excess funds, if any, of the Council; to provide for the dissolution of the Council and the disposition of its property; and to repeal Act No. 425, H. 997, 1975 Regular Session.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	McDonald	St. John
Bailey	Hall	Miller	Smith
Britnell	Holmes	Mitchem	Taylor
Callahan	Kirkland	Parsons	Teague (J)
Cook	Lemaster	Pearson	Weeks
Denton	Little	Proctor	White
Goodwin	Martin		

—25

Nays:

—0

The Bill:

H. 695. Relating to Marion County; to establish a special fund in the county treasury to pay a bounty to any resident of Marion County on certain beaver trapped or killed in Marion County; to provide for the administration of said fund and bounty system; and to prescribe punishment for any person found guilty of falsely making claim for a bounty.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	St. John
Britnell	Hilliard	Miller	Smith
Cook	Holmes	Mitchem	Taylor
deGraffenried	Keener	Parsons	Vacca
Denton	Kirkland	Pearson	Weeks
Goodwin	Little	Proctor	White
Gulledge	Martin		

—25

Nays:

—0

The Bill:

S. 508. To supplement the salary of a supernumerary Circuit District Attorney of the Tenth Judicial Circuit of Alabama

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Hilliard	Miller	Smith
Britnell	Holmes	Mitchem	Taylor
Callahan	Keener	Parsons	Vacca
Cook	Kirkland	Pearson	Weeks
Denton	Lemaster	Proctor	White
Gulledge	Little		

—25

Nays:

—0

CONFERENCE COMMITTEE REPORT FOR S. B. 132

We, the committee of conference appointed to reconcile the disagreement between the two houses concerning S. B. 132, have met, considered the matter and agreed to the following report.

We recommend that both houses adopt the attached Conference Committee Substitute to S. B. 132 which said substitute is made a part hereof by reference as if fully set out herein.

BILL B. SMITH,
HINTON MITCHEM,
ALBERT McDONALD,
Conferees for the Senate.

GERALD DIAL,
LEIGH PEGUES,
CHARLES W. WHATLEY,
Conferees for the House.

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 132

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of the Plumbers Examining Board, and voted to recommend the continuance of the board created and functioning pursuant to Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), with the additional recommendations for statutory changes of the board as set out in Section 4 hereof.

Section 2. The legislature concurs in the recommendation of the Sunset Committee provided in Section 1 of this act.

Section 3. The existence and functioning of the Plumbers Examining Board, created and functioning pursuant to Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), are hereby continued.

Section 4. The title and Section 1 of Act No. 529, H. 977, 1949 Regular Session, (Acts 1949, p. 827) are hereby amended to read as follows:

"An Act To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census than 100,000 or more according to the 1940 federal decennial census, and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in the State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this act.

"Section 1. DEFINITIONS AND SCOPE. This Act shall apply only in counties of this State having a population of not less than 100,000 or more 140,000 according to the last or any subsequent Federal census according to the 1940 federal decennial census. 'Plumbing,' as used in this Act, is the installation, repair or replacement of pipes, fixtures, or other apparatus necessary either for supplying water or for removing liquid or waterborne waste. The term is also used to denote installed fixtures, drainage, vents, and water distribution systems. A 'master plumber,' within the meaning and for the purpose of this Act, shall be held to mean and to include any person, firm or corporation engaged in or proposing to engage in the business of contracting to do or superintending the installation of plumbing, either or both, but if such applicant for registration be an individual, he must either qualify himself to be a licensed master plumber or must continually keep in his active employ a duly registered and licensed master plumber, and, if such licensee be a firm or corporation, at least one active member of such firm or corporation, must be a duly registered master plumber, actively, continuously connected with the conduct of said business.

"A 'journeyman plumber' within the meaning of this Act is any person, other than a master plumber, who engages in or works at the actual installation, alteration, repair and renovation of plumbing and who has successfully fulfilled the examination and requirements of the board."

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Smith, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 132. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

Yeas 12; Nays 0.

Yeas:

Messrs.:	Hall	Lemaster	St. John	
Bailey	Holmes	Little	Smith	
Britnell	Keener	Proctor	Taylor	
Gulledge				—12

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate for its consideration:

S. J. R. 223. TO EXTEND THE LIFE OF THE JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Proctor, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 223, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. J. R. 223

Amend S. J. R. 223 by striking the date November 30, 1982 and substituting in lieu thereof the date November 1, 1982.

RESOLUTION

Mr. Martin offered the following Senate Joint Resolution, to-wit:

S. J. R. 232. COMMENDING AUSTIN HIGH SCHOOL, DECATUR, ALABAMA, ON ITS U. S. HIGH SCHOOL NATIONAL RECORD IN UNITS OF BLOOD COLLECTED 1981-82.

WHEREAS, the Alabama Legislature notes that since 1966 the Student Council of Austin High School has undertaken to spearhead drives to get the community to participate in donating blood and has set national records in the amount of blood collected in twelve-hour blood drives; and

WHEREAS, in 1982 the Student Council of Austin High School exceeded its own national record set in 1981 by collecting 1896 pints of blood in a twelve hour period and once again captured the U. S. High School National record for 1982; and

WHEREAS, the blood drive at Austin High School sponsored by the student council involved student officers and members of the council, faculty advisors and principal and the entire community in a cooperative humanitarian effort; and

WHEREAS, Todd Hill, Joy Hopper and Ted Holland served as co-chairmen and student officers: Mike Marmann, President; Deana Marks, Vice President; Denise Owens, Secretary; and Leanne Sharp, Treasurer; Mrs. Mary Ellen Poole, Student Council Advisor and Mr. Bearl Whitsett, Principal had the overall coordinating responsibilities in the organization of the blood drive and worked diligently for many hours; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we highly praise and congratulate Austin High School, Decatur, Alabama, the co-chairmen, its student council, Mrs. Mary Ellen Poole and Mr. Bearl Whitsett in setting the 1982 U. S. High School National record in twelve-hour blood drive.

BE IT FURTHER RESOLVED, That copies of this resolution be sent for appropriate display, and to the co-chairmen, and officers named herein, Mrs. Mary Ellen Poole and Mr. Bearl Whitsett.

On motion of Mr. Martin, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 161

The hour of 4 o'clock P.M. having arrived, the Senate proceeded to further consideration of the Bill:

H. 161. To amend section 4 of Act No. 135 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (Acts of 1978, p. 1868), §40-7-25.1, Code of Alabama 1975, which act was entitled "An Act to provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the Department of Revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act," so as to provide for the further definition of current use value of Class III property and to provide for methods of determining current use value on and after October 1, 1981 through the use of standard value formulas, to describe and set out those formulas, and to provide a mechanism for appeal of standard value determination with respect to individual parcels of Class III property.

The question was on the substitute offered by Mr. deGraffenried, which said substitute is set out in the Journal of the Senate for the Twenty-Fourth Legislative Day.

On motion of Mr. Gullledge, said substitute was laid on the table.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Willis (with notice and proof):

H. 772. To provide for the minimum compensation for all deputy sheriffs in Calhoun County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 772, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Penry and McMillan (with notice and proof):

H. 775. Relating to Baldwin County; to authorize the county commission, in its discretion, to appropriate funds from the county general fund to be

expended by the sheriff to conduct investigations and to enforce the laws relating to the possession and sale of drugs and controlled substances.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 775, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Reed (with notice and proof):

H. 781. To provide further for the compensation of the clerks in the tax assessor's office in Bullock County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 781, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Reed (with notice and proof):

H. 782. Relating to Bullock County; to provide for the election of the chairman of the county commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 782, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Reed (with notice and proof):

H. 783. Relating to Bullock County; to provide further for the employees and their compensation in the office of the county tax collector.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 783, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 772, 775, 781, 782, and 783. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 454. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901 granting certain powers and authority to Calhoun County and each municipality situated therein relating to the acquisition, leasing, sale and development of industrial sites and industrial park projects.

Also:

S. 482. To create an Economic Development Council for Calhoun County for the purpose of promoting industry and trade and the economic development of said county; to provide for the organization, powers, functions, duties, funding, and personnel of such Council and to provide for the payment of the expenses of such Council; to provide for the issuance by the Council for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities payable from the revenues derived from the leasing or sale of any of its property and from any other or additional sources of revenue as may be specified; to provide that the Council may pledge for the payment of any bonds or obligations assumed by the Council any revenues from which those bonds or obligations are made payable; to authorize the Council to execute and deliver, as security for such bonds and obligations, mortgages, deeds of trust and trust indentures on such properties out of the revenues from which such securities are payable; to provide for the investment of funds of the Council; to authorize the sale or conveyance by the Council of any of its properties; to provide for the use of the proceeds of any such securities issued by the Council; to exempt the property and income of the Council and all securities issued by the Council and the income from such securities and conveyances, leases, mortgages and deeds of trust to which the Council is a party, from all taxation in the state; to exempt the Council from all taxation in the state; to exempt the Council from payment of certain charges to judges of probate; to exempt the Council from all laws of the state governing usury or prescribing or limiting interest rates; to exempt the Council from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to provide for the disposition of the excess funds, if any, of the Council; to provide for the dissolution of the Council and the disposition of its property; and to repeal Act No. 425, H. 997, 1975 Regular Session.

Also:

S. 493. Relating to Talladega County; providing recording fees charged by the probate judge.

Also:

S. 28. To regulate further the real estate business in Alabama and to amend certain sections of the Code in order to further regulate the licensing of persons engaged in the real estate business in this state; to increase certain fees and charges in relation to transfer of a license and examinations; and to define types of work relationships between brokers and salesmen.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

REGULAR SESSION
25th Day

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By Rep. McMillan (with notice and proof):

H. 306. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Mobile County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 306, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Clark (W), Buskey and Harper (T) (with notice and proof):

H. 598. Relating to Mobile County; providing that the board of registrars shall appoint one or more deputy registrars for each municipality to take applications for voter registration one day each week.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 598, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Pegues (with notice and proof):

H. 765. Relating to Perry County; providing for an expense allowance for members of the board of education and repealing Act No. 187, S. 134, 1971 2nd Special Session, (Acts 1971, p. 4448).

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 765, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Zoghby (with notice and proof):

H. 727. Relating to Mobile County and the members of the board of registrars; providing for the meeting dates for voter registration and voter reidentification, transportation and expense allowances for said members, and specifically repealing the following acts, all relating to meeting dates and expense allowances applicable to Mobile County Board of Registrars: Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4364); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 727 as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Cobb (with notice and proof):

H. 766. Relating to Marion County; to provide further for the compensation of the employees of the sheriff's office.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 766, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Letson (with notice and proof):

H. 767. Relating to Lawrence County; to rearrange the boundaries of the City of Moulton, so as to exclude from the corporate limits of said city certain territory within such limits.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 767, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Bedsole (with notice and proof):

H. 769. Relating to Mobile County and the members of the board of registrars; providing for the meeting locations for voter registration and voter reidentification; and repealing the following acts relating to the Mobile County Board of Registrars: Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 769, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Cobb (with notice and proof):

H. 771. To amend Section 1 of Act No. 312, H. 461 of the 1973 Regular Session of the Legislature (Acts 1973, p. 443), relating to branch banking in Marion County, Alabama, so as to provide that any bank in Marion County shall be permitted to branch into any municipality in the county that does not presently have banking facilities.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 771, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. McMillan and Penry (with notice and proof):

H. 773. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Loxley in Baldwin County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 773, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. McMillan and Penry (with notice and proof):

H. 774. To provide the sheriff's department of Baldwin County with a specific number of employees, establish the rate of compensation for said employees and provide training of such employees.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 774, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Sandusky, Zoghby, Parker, Stewart, McMillan and Bedsole (with notice and proof):

H. 777. To repeal Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, P. 990-991); and Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, P. 1630-1631) providing for minimum compensation for deputies in Mobile County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 777, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Stewart (with notice and proof):

H. 778. Relating to Mobile County; amending further section 1 of Act No. 80-342, H. 917, 1980 Regular Session (Acts 1980, p. 464) relating to an idle speed zone for boats on Halls Mill Creek, so as to provide that the Alabama Marine Police shall erect signs to indicate such zone.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 778, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 306, 598, 765, 727, 766, 767, 769, 771, 773, 774, 777, and 778. To the Committee on Local Legislation No. 1.

FURTHER CONSIDERATION OF H. B. 161

The Senate proceeded to further consideration of the Bill, H. B. 161.

Mr. Gulledge offered the following amendment to the Bill, H. B. 161, to-wit:

AMENDMENT TO H. B. 161

Amend H. B. 161 on page 10, line 10 by deleting "3%" and inserting in lieu thereof the figures "4.50%."

Further amend on lines 16 and 17, page 10, by deleting the words "without any 3% reduction.", substituting therefor the words "such rate to be reduced by the lesser of 4.50% of the difference between such rate and 2%."

Further amend on Page 11, Line 6, by inserting after the word "shall" the figures and letter "(a)" and on line 8, by inserting after the word "hereunder" a comma and "and (b) not be more than 100% of such standard values as computed for the first tax year for which values are computed hereunder plus, with respect to each such value, amounts equal to 3% of such values multiplied by the number of tax years elapsed since the tax year beginning October 1, 1981."

Further amend on Page 12, Line 37 by deleting the figures "3%" and inserting the figures "4.50%."

Further amend on Page 13, lines 9 and 10, after the word "available," by deleting the words "without any 3% reduction" and substituting therefor the words "such rate to be reduced by the lesser of 4.50% or the difference between such rate and 2%."

Further amend on Page 13, Line 17, after the word "shall" add the figures and letter "(a)" and on line 19 after the word "hereunder" add ", and (b) not be more than 100% of such standard values as computed for the first tax year for which values are computed hereunder plus, with respect to each such value, amounts equal to 3% of such values multiplied by the number of tax years elapsed since the tax year beginning October 1, 1981."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Hall	Little	Robertson
Bailey	Harrison	Martin	St. John
Britnell	Higginbotham	McDonald	Smith
Callahan	Hilliard	Miller	Taylor
Cook	Holmes	Mitchem	Teague (B)
deGraffenried	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Weeks
Goodwin	Lemaster	Proctor	White
Gulledge			

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Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Ray:

H. J. R. 285. COMMENDING THE ESTABLISHMENT OF THE "NATIONAL BAND ASSOCIATION HALL OF FAME OF DISTINGUISHED PERSONS" AT TROY STATE UNIVERSITY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 285, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 307. To amend Section 40-23-1, Alabama Code, 1975, as amended, so as to provide that the dispensing or transferring of ophthalmic materials to a patient by licensed ophthalmologists or optometrists, as part of their professional service, shall not be considered a sale subject to the state sales tax; to place the responsibility for collecting the sales tax on the transfer of ophthalmic materials on the supplier of such materials to licensed ophthalmologists and optometrists; and to provide that in limited circumstances, the transfer of ophthalmic materials by opticians shall not be considered a sale subject to the state sales tax.

Also:

S. 356. To amend Act No. 81-654 of the 1981 Regular Session which act relates to allowable interest rates or finance charges determined by the prime rate charged by certain banks, and open-end credit plans, so as to change the termination date provisions of said act.

Also:

S. 397. To amend Section 27-29-1, Code of Alabama, 1975 to provide that "control" of an Alabama insurer shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote or holds proxies representing 5 percent or more of the voting securities of such insurer and to provide that for purposes of Section 27-29-3, a domestic insurer shall include any other person controlling a domestic insurer.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Dial (with notice and proof):

H. 736. To further provide for the administration of absentee voting in Clay County, except during municipal elections.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 736, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Moore, Waggoner and Smith (C) (with notice and proof):

H. 738. Relating to Shelby County; providing for an increase in salary for the part-time bailiffs of said county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 738, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Moore, Waggoner and Smith (C) (with notice and proof):

H. 739. Relating to Shelby County; to provide for the mailing addresses of the grantors and grantees to appear on all conveyances of real property recorded in the probate office of such county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 739, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer:

H. 741. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Lamar County, Alabama.

Also:

By Rep. Gilmer:

H. 742. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Fayette County, Alabama.

Also:

By Rep. Clark (G) (with notice and proof):

H. 753. To levy additional county sales and use taxes in Pickens County for public school purposes in said county; to provide for the collection, distribution, and use of such taxes; to provide for the enforcement of the Act; to provide for severability; to provide the effective date hereof and for the substitution of the taxes levied hereby; and to prescribe penalties for violation of this Act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 753, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

REGULAR SESSION
25th Day

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Also:

By Reps. Mitchell and Clark (G) (with notice and proof):

H. 760. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to change the charges and costs of court in Pickens County and to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges or changes in court costs.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 760 as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Mitchell and Clark (G) (with notice and proof):

H. 761. Relating to Pickens County; providing for an increase in court costs and providing for the disposition of the proceeds from such increase; and providing for the conditions upon which the provisions of this act shall become effective.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 761, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Mitchell and Clark (G) (with notice and proof):

H. 762. Relating to Pickens County; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the county revenue commissioner to the probate judge requiring an additional bond of the probate judge; providing for the payment of fees and commissions to the probate judge of the county, the distribution of the taxes to municipalities and the state, and the payment of commissions to the judge of probate; and defining terms.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 762, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Langford (with notice and proof):

H. 763. Relating to Montgomery County, Alabama; providing for an expense allowance for the tax assessor and tax collector; providing for the termination of such allowance; and establishing the effective date of this Act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 763, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 736, 738, 739, 741, 742, 753, 760, 761, 762, and 763. To the Committee on Local Legislation No. 1.

The above numbered Bills, H. B.'s 741, 742, and 760 were read a first time at length as required by the Constitution.

FURTHER CONSIDERATION OF H. B. 161

The Senate proceeded to further consideration of the Bill, H. B. 161, as amended.

Mr. Keener offered the following amendment to the Bill, H. B. 161, as amended, to-wit:

AMENDMENT TO H. B. 161, AS AMENDED

Amend House Bill 161 on page 15, line 15 after the word and punctuation "value." by inserting the following:

"(d) Any provision of this chapter to the contrary notwithstanding, no person shall be entitled to have more than 2,500 acres of agricultural and forest property owned by him in this state valued pursuant to the current use standard value method described hereinabove. The current use value of agricultural and forest property in excess of 2,500 acres owned by any person in this state shall be determined by the tax assessor considering soil productivity or fertility, topography, susceptibility to flooding, replaceability as agricultural property for the production of food and fiber and other factors which may serve to determine value for agricultural or timber production purposes, including any such factors that the Department of Revenue shall, by regulation, specify."

On motion of Mr. Gulledge, said amendment was laid on the table.

And said Bill, H. B. 161, as amended, was read a third time at length and passed.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Harrison	Little	Proctor
Britnell	Holmes	Martin	Robertson
Callahan	Keener	McDonald	St. John
Denton	Kirkland	Miller	Taylor
Goodwin	Lemaster	Mitchem	Teague (J)
Gulledge			

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Nays:

Messrs.:	Hall	Pearson	Vacca
Cook	Hilliard	Smith	Weeks
deGraffenried	Parsons	Teague (B)	White

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MOTION TO ADJOURN

At 4:35 P.M., Mr. Proctor moved that when the Senate adjourns today it adjourn to meet again on Thursday, April 8, 1982, at 11 o'clock A.M., which motion was adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Bailey stated that had he been present in the Chamber when the vote was taken on the Bill, H. B. 161, as amended, he would have voted "Aye".

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 133

S. B. 136

S. J. R. 122

S. J. R. 123

S. J. R. 144

S. J. R. 157

S. B. 135

Delivered to the Governor, March 23, 1982, at 2:25 P.M.

S. B. 90

S. B. 130

S. B. 417

S. J. R. 83

S. J. R. 156

S. J. R. 162

S. J. R. 163

S. J. R. 165

S. J. R. 169

S. J. R. 171

S. J. R. 175

Delivered to the Governor, March 25, 1982, at 1:55 P.M.

S. J. R. 31

Delivered to the Governor, April 1, 1982, at 10:30 A.M.

S. J. R. 170

S. B. 143

Delivered to the Governor, April 7, 1982, at 3:30 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:55 P.M., on motion of Mr. Proctor, in accordance with Motion heretofore adopted, the Senate adjourned until Thursday, April 8, 1982, at 11 o'clock A.M.

TWENTY-SIXTH LEGISLATIVE DAY

THURSDAY, APRIL 8, 1982

The Senate met pursuant to adjournment, Lieutenant Governor McMillan presiding.

PRAYER

The Session was opened with prayer by the Reverend Jay Wolf, Assistant Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Lemaster	Robertson	

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JOURNAL

On motion of Mr. St. John, the reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

ALBERT McDONALD,
Chairman.

COMMITTEE REPORT

On motion of Mr. McDonald, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. St. John, leave of absence was granted Mr. Glass for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 140. To further amend Section 6-5-333 of the Code of Alabama, 1975, as amended, relating to exemption from liability for dentists constituting certain committees, so as to extend such exemption to chiropractors and physicians.

Also:

S. 170. To amend Sections 36-21-60 and 36-21-68, Code of Alabama 1975, which relate to definitions and eligibility for membership in the Peace Officers' Annuity and Benefit Fund, so as to make certain persons, who are specifically excluded from membership, eligible for membership, and to provide that certain persons recently accepted into the fund shall not be given credit for prior service.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 199. To amend Section 36-22-62 of the Code of Alabama, 1975, to provide for cost of living increases in the compensation of Supernumerary Sheriffs of the several counties within this State.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 11. To require every railroad conductor and engineer who operates a train in this state to carry on his person a qualification permit while on duty in train service.

Also:

S. 237. To provide for the payment of tuition and the cost of textbooks for an undergraduate student in a state college, junior college, or university, who is the child of a law enforcement officer or fire fighter killed in line of duty; to create a Tuition Eligibility Board to administer the provisions of the Act, and to prescribe its composition, duties and responsibilities; to appropriate necessary funds from the General Fund and to specifically repeal certain conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 205. To amend Section 16-4-5, Code of Alabama, 1975, to require the taking of a school census every ten years and, further, repeals the school census requirement subject to ratification of a constitutional amendment.

Also:

S. 197. To amend Section 23-1-5, Code of Alabama 1975, relating to the reimbursement by the state of relocation costs of certain utility companies having a gross income of \$10,000,000 or less for the calendar year preceding the relocation, and provided that the relocation is necessitated by highway construction, so as to provide further for the dollar amounts of the gross income of such utility company owners or operators.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 265. To amend Section 9-11-252, Code of Alabama 1975, relating to the penalties for the violation of sections 9-11-250 (taking deer from public waters) or 9-11-251 (taking deer at night), so as to increase and amend penalties for the violation thereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 177. COMMENDING LIVINGSTON STATE UNIVERSITY'S BASKETBALL TEAM, GULF SOUTH CONFERENCE TOURNAMENT CHAMPIONS.

Also:

S. J. R. 180. COMMENDING THE UAB BASKETBALL TEAM.

Also:

S. J. R. 190. MEMORIALIZING CONGRESS TO PAY SOCIAL SECURITY BENEFITS EARNED BY STATE PRISONERS INTO THE STATE GENERAL FUND.

Also:

S. J. R. 191. COMMENDING THE HEALTH OCCUPATION EDUCATION CLASS OF THE TROY-PIKE AREA VOCATIONAL CENTER.

Also:

S. J. R. 192. COMMENDING MRS. MARY KIMBRO BUTLER OF ECLECTIC, ALABAMA HAVING HER NOVEL "PAPA'S OLD TRUNK" RELEASED BY HER PUBLISHER.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 510. Relating to Jefferson County; authorizing the sheriff to employ an executive assistant and repealing Act No. 681, H. 505, 1977 Regular Session (Acts 1977, p. 1181).

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, S. B. 510, to-wit:

COMMITTEE AMENDMENT TO S. B. 510

Amendment to S. B. 510

In Section 1, on line 28, strike the period and insert in lieu thereof the following:

and all cost-of-living increases.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Smith	
Bailey	Hilliard	Miller	Taylor	
Britnell	Holmes	Mitchem	Teague (J)	
Callahan	Keener	Pearson	Vacca	
Cook	Kirkland	Proctor	Weeks	
Denton	Lemaster	St. John	White	
Figures	Little			—25

Nays: —0

And said Bill, S. B. 510, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Smith	
Bailey	Hilliard	Miller	Taylor	
Britnell	Holmes	Mitchem	Teague (J)	
Callahan	Keener	Pearson	Vacca	
Cook	Kirkland	Proctor	Weeks	
Denton	Lemaster	St. John	White	
Figures	Little			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration House bill:

H. 753. To levy additional county sales and use taxes in Pickens County for public school purposes in said county; to provide for the collection,

distribution, and use of such taxes; to provide for the enforcement of the Act; to provide for severability; to provide the effective date hereof and for the substitution of the taxes levied hereby; and to prescribe penalties for violation of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robertson, the Senate acceded to the request of the House for the return of the Bill, H. B. 753, the title of which is set out in the foregoing Message from the House.

Whereupon, Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, returned said Bill, H. B. 753, to the floor of the Senate and the Secretary was instructed to return same to the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 28. To regulate further the real estate business in Alabama and to amend certain sections of the Code in order to further regulate the licensing of persons engaged in the real estate business in this state; to increase certain fees and charges in relation to transfer of a license and examinations; and to define types of work relationships between brokers and salesmen.

Also:

S. 307. To amend Section 40-23-1, Alabama Code, 1975, as amended, so as to provide that the dispensing or transferring of ophthalmic materials to a patient by licensed ophthalmologists or optometrists, as part of their professional service, shall not be considered a sale subject to the state sales tax; to place the responsibility for collecting the sales tax on the transfer of ophthalmic materials on the supplier of such materials to licensed ophthalmologists and optometrists; and to provide that in limited circumstances, the transfer of ophthalmic materials by opticians shall not be considered a sale subject to the state sales tax.

Also:

S. 356. To amend Act No. 81-654 of the 1981 Regular Session which act relates to allowable interest rates or finance charges determined by the prime rate charged by certain banks, and open-end credit plans, so as to change the termination date provisions of said act.

Also:

S. 397. To amend Section 27-29-1, Code of Alabama, 1975 to provide that "control" of an Alabama insurer shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote or holds proxies representing 5 percent or more of the voting securities of such insurer and to provide that for purposes of Section 27-29-3, a domestic insurer shall include any other person controlling a domestic insurer.

Also:

S. 454. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901 granting certain powers and authority to Calhoun County and each municipality situated therein relating to the acquisition, leasing, sale and development of industrial sites and industrial park projects.

Also:

S. 482. To create an Economic Development Council for Calhoun County for the purpose of promoting industry and trade and the economic development of said county; to provide for the organization, powers, functions, duties, funding, and personnel of such Council and to provide for the payment of the expenses of such Council; to provide for the issuance by the Council for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities payable from the revenues derived from the leasing or sale of any of its property and from any other or additional sources of revenue as may be specified; to provide that the Council may pledge for the payment of any bonds or obligations assumed by the Council any revenues from which those bonds or obligations are made payable; to authorize the Council to execute and deliver, as security for such bonds and obligations, mortgages, deeds of trust and trust indentures on such properties out of the revenues from which such securities are payable; to provide for the investment of funds of the Council; to authorize the sale or conveyance by the Council of any of its properties; to provide for the use of the proceeds of any such securities issued by the Council; to exempt the property and income of the Council and all securities issued by the Council and the income from such securities and conveyances, leases, mortgages and deeds of trust to which the Council is a party, from all taxation in the state; to exempt the Council from all taxation in the state; to exempt the Council from payment of certain charges to judges of probate; to exempt the Council from all laws of the state governing usury or prescribing or limiting interest rates; to exempt the Council from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to provide for the disposition of the excess funds, if any, of the Council; to provide for the dissolution of the Council and the disposition of its property; and to repeal Act No. 425, H. 997, 1975 Regular Session.

Also:

S. 493. Relating to Talladega County; providing recording fees charged by the probate judge.

Also:

S. J. R. 179. COMMENDING OLIVER ROBINSON, UAB.

Also:

S. J. R. 195. CONGRATULATING THE TUSKEGEE INSTITUTE TIGERETTES ON THEIR OUTSTANDING BASKETBALL SEASON.

Also:

S. J. R. 198. WISHING MR. JAMES V. "JAKE" JORDAN A SPEEDY RECOVERY.

Also:

S. J. R. 211. HONORING OUR DISTINGUISHED COLLEAGUE, SENATOR PASCHAL P. VACCA OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 216. CREATING A SELECT JOINT COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS ON ALL REGULATIONS AND PROCEDURES RELATING TO THE OFFICIAL DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF THE DEPARTMENT OF FORENSIC SCIENCES.

Also:

S. J. R. 223. TO EXTEND THE LIFE OF THE JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 677. Relating to Morgan County; providing for a certain salary supplement for the circuit judges of said county effective October 1, 1982.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John
Bailey	Hall	Miller	Taylor
Britnell	Hilliard	Mitchem	Teague (J)
Callahan	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Little		

—25

Nays: —0

The Bill:

S. 519. Relating to DeKalb County; providing for the distribution of the share of in-lieu-of-taxes payments of the Tennessee Valley Authority and providing for an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Britnell	Denton	Goodwin
Bailey	Callahan	Figures	Gulledge

Hall	Little	St. John	Teague (J)	
Hilliard	McDonald	Smith	Vacca	
Holmes	Mitchem	Taylor	Weeks	
Keener	Pearson	Teague (B)	White	
Lemaster	Proctor			—25
<i>Nays:</i>				—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 302. WELCOMING THE NATIONAL CONFERENCE OF BLACK MAYORS TO ALABAMA.

Also:

H. J. R. 304. COMMENDING THE REVEREND DAVID CRAWFORD CURRY OF DALEVILLE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 694. To create an Economic Development Council for Calhoun County for the purpose of promoting industry and trade and the economic development of said county; to provide for the organization, powers, functions, duties, funding, and personnel of such Council and to provide for the payment of the expenses of such Council; to provide for the issuance by the Council for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities payable from the revenues derived from the leasing or sale of any of its property and from any other or additional sources of revenue as may be specified; to provide that the Council may pledge for the payment of any bonds or obligations assumed by the Council any revenues from which those bonds or obligations are made payable; to authorize the Council to execute and deliver, as security for such bonds and obligations, mortgages, deeds of trust and trust indentures on such properties out of the revenues from which such securities are payable; to provide for the investment of funds of the Council; to authorize the sale or conveyance by the Council of any of its properties; to provide for the use of the proceeds of any such securities issued by the Council; to exempt the property and income of the Council and all securities issued by the Council and the income from such

securities and conveyances, leases, mortgages and deeds of trust to which the Council is a party, from all taxation in the state; to exempt the Council from all taxation in the state; to exempt the Council from payment of certain charges to judges of probate; to exempt the Council from all laws of the state governing usury or prescribing or limiting interest rates; to exempt the Council from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to provide for the disposition of the excess funds, if any, of the Council; to provide for the dissolution of the Council and the disposition of its property; and to repeal Act No. 425, H. 997, 1975 Regular Session.

Also:

H. 695. Relating to Marion County; to establish a special fund in the county treasury to pay a bounty to any resident of Marion County on certain beaver trapped or killed in Marion County; to provide for the administration of said fund and bounty system; and to prescribe punishment for any person found guilty of falsely making claim for a bounty.

Also:

H. 651. Proposing an amendment to the Constitution of 1901, relating to the judge of probate of Bullock County and the manner and method of compensating such officer.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 170. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said City all territory and property now within said corporate limits, and also certain other additional territory in Madison County, Alabama, and to provide for certain exemptions from ad valorem taxation with respect to said additional property.

Also:

H. 531. To amend Section 11-86-2, Code of Alabama 1975, which relates to county or municipal recreation boards created under the provisions of Chapter 86 of Title 11 of the Code of Alabama 1975, so as to provide that the membership of such boards may consist of not less than five nor more than nine members and to provide for the terms of office of any members authorized by this Act.

Also:

H. 572. Relating to DeKalb County; amending Act No. 372, S. 572, 1971 Regular Session (Acts 1971, p. 667), relating to the expense allowance of the coroner of the county.

Also:

H. 573. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit for Jackson County, Alabama.

Also:

H. 591. Relating to the City of Huntsville in Madison County, to authorize the governing body of the City of Huntsville to appropriate and pay from any general funds of the City otherwise unappropriated, up to the sum of \$3,000.00 for information leading to the arrest and conviction of the guilty person for any high crime or misdemeanor, in any case where the said governing body has, prior to the passage of this act manifested the intent of the governing body to appropriate any sum up to \$3,000.00 with respect to any high crime or misdemeanor heretofore committed, said sum to be paid only upon order of the Court before which such conviction was had.

Also:

H. 653. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores in Baldwin County.

Also:

H. 669. Relating to Lee County and to Macon County, Alabama; to permit any state or national bank with its principal place of business in Lee County to establish, maintain and operate, with the prior written approval of the State Superintendent of Banks for a state bank or of the Comptroller of the Currency for a national bank, one or more branches, branch banks or branch offices for the receipt of deposits, payment of checks, lending of money and conduct of a general banking business in Notasulga, Macon County, Alabama; to repeal all laws or parts of laws in conflict herewith; and to provide for an effective date.

Also:

H. 672. To provide for a certain increase in costs and charges of court in the Marengo County division of the Seventeenth Judicial Circuit of this state to be used to assist in service of process and service of subpoenas in civil and criminal court cases and for improvement of law enforcement by the sheriff of Marengo County.

Also:

H. 676. To amend Section 1 of Act No. 726, H. 1050, 1978 Regular Session (Acts 1978, p. 1051), relating to salary supplements for circuit judges in Morgan County, so as to provide further for such salary supplements and to provide for retroactive effect.

Also:

H. 678. To amend Section 2 of Act No. 458, S. 616 of the 1978 Regular Session of the Legislature relating to the compensation of the judge of probate of Morgan County, Alabama, so as to provide further for such compensation.

Also:

H. 679. Providing a certain expense allowance for the sheriff of Morgan County, Alabama, which shall become part of the base salary of \$26,000 per annum of said sheriff at the beginning of the next term of office.

Also:

H. 693. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Guntersville in Marshall County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 531. To amend Section 7 of Act No. 248, H. 872 of the 1975 Regular Session (Acts 1975, p. 778), relating to Shelby County and the installation and maintenance of an improved system of recording title to property and other documents recorded in the office of the Judge of Probate and the collection and disposition of a special index fee therefor, so as to further provide for such fees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Denton	Kirkland	Proctor	White
Figures	Lemaster		

—25

Nays:

—0

The Bill:

H. 545. Relating to Montgomery County; providing further for the salary of the tax collector, effective upon the next term of office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Britnell	Denton	Goodwin
Bailey	Callahan	Figures	Gulledge

Harrison	Martin	Pearson	Teague (B)	
Hilliard	McDonald	Proctor	Vacca	
Holmes	Miller	St. John	Weeks	
Keener	Mitchem	Taylor	White	
Little	Parsons			—25
Nays:				—0

The Bill:

H. 546. Relating to Montgomery County; providing further for the salary of the tax assessor, effective upon the next term of office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John	
Bailey	Harrison	Miller	Taylor	
Britnell	Hilliard	Mitchem	Teague (B)	
Callahan	Holmes	Parsons	Vacca	
Denton	Keener	Pearson	Weeks	
Figures	Kirkland	Proctor	White	
Goodwin	Little			—25
Nays:				—0

The Bill:

H. 547. Relating to Montgomery County; providing further for the salary of the probate judge effective upon the next term of office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John	
Bailey	Harrison	Miller	Taylor	
Britnell	Hilliard	Mitchem	Teague (B)	
Callahan	Holmes	Parsons	Vacca	
Denton	Keener	Pearson	Weeks	
Figures	Kirkland	Proctor	White	
Goodwin	Little			—25
Nays:				—0

The Bill:

H. 617. An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster, Alabama, so as to incorporate certain territory as described herein.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Callahan	deGraffenried	Figures
Britnell	Cook	Denton	Goodwin

REGULAR SESSION
26th Day

1217

Hall	Lemaster	Parsons	Teague (J)	
Hilliard	Little	Proctor	Vacca	
Holmes	Martin	Smith	Weeks	
Keener	Miller	Taylor	White	
Kirkland	Mitchem			—25

Nays: —0

The Bill:

H. 638. Relating to Shelby County; providing for a salary adjustment for the sheriff of Shelby County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Smith	
Britnell	Hall	Martin	Taylor	
Callahan	Hilliard	Miller	Teague (J)	
Cook	Holmes	Mitchem	Vacca	
deGraffenried	Keener	Parsons	Weeks	
Denton	Kirkland	Proctor	White	
Figures	Lemaster			—25

Nays: —0

The Bill:

H. 656. Relating to Fayette County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county at the end of the current term; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Smith	
Britnell	Hilliard	Miller	Taylor	
deGraffenried	Holmes	Mitchem	Teague (J)	
Denton	Keener	Parsons	Vacca	
Figures	Kirkland	Pearson	Weeks	
Goodwin	Lemaster	Proctor	White	
Gulledge	Little			—25

Nays: —0

The Bill:

H. 657. Relating to Blount County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	Taylor	
Bailey	Hilliard	Mitchem	Teague (B)	
Britnell	Holmes	Pearson	Teague (J)	
Callahan	Keener	Proctor	Vacca	
Denton	Kirkland	St. John	Weeks	
Figures	Little	Smith	White	
Goodwin	Martin			—25

Nays: —0

The Bill:

H. 48. Proposing an amendment to the Constitution of 1901, providing for costs and charges of courts in Winston County.

was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor	
Bailey	Hilliard	McDonald	St. John	
Britnell	Holmes	Miller	Taylor	
Callahan	Keener	Mitchem	Vacca	
Denton	Kirkland	Parsons	Weeks	
Figures	Lemaster	Pearson	White	
Goodwin	Little			—25

Nays: —0

The Bill:

H. 337. To authorize the Barbour County Commission to compensate the Board of Equalization of Barbour County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor	
Bailey	Higginbotham	McDonald	St. John	
Callahan	Holmes	Miller	Smith	
Denton	Keener	Mitchem	Taylor	
Figures	Kirkland	Parsons	Teague (J)	
Goodwin	Lemaster	Pearson	Weeks	
Gulledge	Little			—25

Nays: —0

The Bill:

H. 636. To provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Barbour County; and to specifically repeal Act No. 81-731, H. 1048, 1981 Regular Session.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor
Bailey	Higginbotham	McDonald	St. John
Callahan	Holmes	Miller	Smith
Denton	Keener	Mitchem	Taylor
Figures	Kirkland	Parsons	Teague (J)
Goodwin	Lemaster	Pearson	Weeks
Gulledge	Little		

—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 4. To amend Section 12-16-100 of the Code of Alabama 1975, relating to the drawing, selecting and impaneling of juries in criminal cases, so as to establish one-for-one strikes in criminal cases and to establish procedures for the selection and use of alternate jurors in criminal cases.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 182. To provide authority for the state board of education to appoint a chancellor to serve as the executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools, and Athens College; provide that the board shall set the salary of its chief executive officers; establish the authority of the board and chancellor regarding the junior colleges and trade schools and the office of the chancellor; and provide authority for administrative actions necessary to govern the junior colleges and trade schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mitchem, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 182, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 182

A BILL
TO BE ENTITLED
AN ACT

To provide authority for the state board of education to appoint a Chancellor to serve as the executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools, and Athens College; provide that the board shall set salary of its chief executive officers; establish the authority of the board and Chancellor regarding the junior colleges and trade schools and the Office of the Chancellor; and provide authority for administrative actions necessary to govern the junior colleges and trade schools.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 16-60-110, Code of Alabama 1975 is amended as follows:

For purposes of this article, the following words and phrases shall have the respective meaning ascribed to them by this section:

- (1) BOARD. The state board of education.
- (2) JUNIOR COLLEGE. An educational institution offering instruction in the arts and sciences on the level of difficulty of the first two years above high school level.
- (3) STATE. The state of Alabama.
- (4) TRADE SCHOOL. An educational institution offering instruction primarily in useful trades, occupations or vocational skills.
- (5) ATHENS STATE COLLEGE. An educational institution offering instruction on the level of difficulty of the third and fourth years above the high school level. Wherever used herein, the phrase "junior colleges and trade schools" shall be understood to include Athens State College.

Section 2. Section 16-60-111, Code of Alabama 1975 is hereby repealed.

Section 3. The authority and responsibility for the operation, management, control, supervision, maintenance, regulation, improvement, and enlargement of each of the junior colleges and trade schools shall be vested in the state board of education, subject to the provisions of this Act.

Section 4. For the sole purpose of assisting the Board in carrying out its authority and responsibility for each of the junior colleges and trade schools, the Board shall have the authority to appoint a Chancellor. The Chancellor shall serve at the pleasure of the Board and perform such duties as assigned by the Board; provided, however, that the Board may enter into a contract with the Chancellor for his services for a period not to exceed four years. The Chancellor shall be a person of good moral character with academic and professional education equivalent to graduation from a recognized university or college, who is knowledgeable in postsecondary institution administration and has training and experience sufficient to qualify him to perform the duties of his office.

Section 5. Notwithstanding any provision of law to the contrary, the Board shall have the authority to establish the salary of the state superintendent of education and the Chancellor. The Board may also provide for

expense allowances to be paid to the state superintendent of education and the Chancellor in whatever amounts and for whatever purposes deemed necessary and appropriate by the Board. Such salary and expense allowances shall be paid in installments from the annual appropriation made to the Board or the state department of education as appropriate.

Section 6. The state board of education, upon recommendation of the Chancellor, shall be authorized to:

a. Make rules and regulations for the government of each junior college and trade school.

b. Prescribe for the junior colleges and trade schools the courses of study to be offered and the conditions for granting certificates, diplomas and/or degrees.

c. Appoint the president of each junior college and trade school, each president to serve at the pleasure of the Board.

d. Direct and supervise the expenditure of legislative appropriations of each junior college and trade school.

e. Prescribe qualifications for faculty and establish a salary schedule and tenure requirements for faculty at each junior college and trade school.

f. Accept gifts, donations, and devises and bequests of money and real and personal property for the benefit of junior colleges and trade schools or any one of them.

g. Disseminate information concerning and promote interest in junior colleges and trade schools among the citizens of Alabama.

Section 7. The president of each junior college and trade school shall appoint the faculty and staff of each junior college and trade school according to qualifications prescribed by the Board and such other regulations which may be adopted by the Board in accordance with Section 6 of this Act.

Section 8. The Chancellor shall serve as the channel of communication to the state board of education concerning matters involving the junior colleges and trade schools. The Chancellor shall:

a. Execute and enforce the rules and regulations of the state board of education governing the junior colleges and trade schools.

b. Interpret the rules and regulations of the Board concerning the junior colleges and trade schools.

c. Administer the Office of the Chancellor and appoint to positions of employment such professional, clerical, and other assistants, including specialists and consultants, on a full- or part-time basis as may be needed to assist the Chancellor in performing the duties of the Office of the Chancellor. The number of employees, their compensation and all other expenditures of the office of the Chancellor shall be within the limits of a budget for the Office of the Chancellor which shall be approved by the Board. The Chancellor and all employees of the Office of the Chancellor shall not be subject to or governed by the provisions of the State Merit System Law but shall be entitled to all benefits accruing to Merit System employees including the right to accumulate leave and participate in the Teachers' Retirement System under the same terms and conditions as employees of the State Department of Education.

d. Have the authority to take any and all actions necessary and proper to assist the Board in carrying out its responsibility for the management and operation of the junior colleges and trade schools.

e. Reports. The Chancellor shall prepare, or cause to be prepared, an annual report of the state board of education and shall submit on the first day of December, or as early thereafter as practicable, the same to the board for its approval and adoption. He shall also prepare, or cause to be prepared, all other reports which are or may be required of the board.

f. Budget. The Chancellor shall prepare, or cause to be prepared, and submit for approval by the state board of education such budget for each quadrennium, or for such other period as may be fixed by the department of finance or other duly authorized body.

g. Legislation. The Chancellor shall prepare, or cause to be prepared, and submit for approval and adoption by the state board of education such legislative measures as are in his opinion needed for the further development and improvement of the junior colleges and trade schools.

Section 9. Except where otherwise clearly indicated herein the Board may delegate to the Chancellor, subject to rules and regulations adopted by the Board, authority for the Chancellor to act and make decisions concerning the management and operation of the junior colleges and trade schools. The president of each junior college and trade school shall be responsible to the Chancellor for the day-to-day operation of each school.

Section 10. Subject to approval of the state superintendent of education, the Chancellor, upon request, may be provided assistance from the staff of the State Department of Education concerning matters affecting the junior colleges and trade schools. The state superintendent of education and the Chancellor shall coordinate the education programs of the public schools and junior colleges and trade schools in such manner as they deem appropriate for the proper operation of all programs.

Section 11. Section 16-60-112 is amended as follows:

Nothing contained in Sections section 16-60-110 or any provision of this Act and 16-60-111 shall not be construed as repealing any provision of the Alabama Trade School School and Junior College Authority Act, sections 16-60-80 through 16-60-96, or the provisions of sections 16-5-1 through 16-5-14 relating to the Alabama Commission on Higher Education.

Further, section 16-5-13(b) is amended to read:

(b) The state board of education and any successor board or which govern the state's public postsecondary institutions, including senior institutions, community colleges, junior colleges and postsecondary technical institutes or colleges, shall stand in the same relationship to the commission as do university boards of trustees. The state superintendent of education Chancellor shall stand in the same relationship to the commission as do presidents of the universities.

Section 12. Section 16-60-113, Code of Alabama 1975 is amended as follows:

Any junior college or trade school shall have authority during any fiscal year upon the approval of the state superintendent of education Chancellor to borrow money in anticipation of the current revenues for that fiscal year and to pledge the current revenues for said fiscal year for payment of such loan or

loans if funds on hand are not sufficient to pay the salaries of teachers for any given month; provided, that any amount borrowed shall not exceed one month's allotment and shall not exceed the amount of the state appropriation minus the amount disbursed from said school's annual allotment.

Section 13. Any other law to the contrary notwithstanding, the authority, powers and duties prescribed in Sections 16-60-80 through 16-60-96, Code of Alabama 1975, relating to the Alabama Trade School and Junior College Authority Act, are hereby transferred to the Chancellor and expressly removed from the state superintendent of education; provided further, any other law to the contrary notwithstanding, this Act shall be construed to require that all actions of the state board of education concerning the junior colleges and trade schools which previously have required the recommendation of the state superintendent of education shall now require only the recommendation of the Chancellor; provided, however, that this Act shall not be construed as removing the state superintendent of education from membership on any board, commission, authority or other agency on which the state superintendent of education now serves except as otherwise provided herein.

Section 14. Upon this Bill becoming law, the Board and the state superintendent of education shall be authorized to take all administrative action, including transfer of funds appropriated to the state board of education for administration of the junior college and trade school program, necessary to carry out the intent and purpose of this Act.

Section 15. The provisions of the Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 15; Nays 0.

Yeas:

Messrs.:	Goodwin	Keener	McDonald
Bailey	Hall	Lemaster	Mitchem
Britnell	Higginbotham	Little	Proctor
Denton	Holmes	Martin	White

—15

Nays:

—0

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointments and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Dr. James D. Grady, III and Mayor Steve Means to the Alabama Commission on Higher Education.

On motion of Mr. Higginbotham, the appointment of Dr. Grady was confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Robertson
Bailey	Higginbotham	McDonald	St. John
Britnell	Holmes	Miller	Smith
deGraffenried	Keener	Mitchem	Taylor
Denton	Lemaster	Pearson	Weeks
Gulledge	Little	Proctor	White

—23

Nays:

—0

On motion of Mr. McDonald, the appointment of Mayor Means was confirmed by the Senate.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Holmes	McDonald	Smith
Bailey	Keener	Miller	Taylor
deGraffenried	Kirkland	Mitchem	Teague (B)
Denton	Lemaster	Pearson	Vacca
Goodwin	Little	St. John	White
Higginbotham	Martin		

—21

Nays:

—0

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Paul D. White to the Alabama A and M University Board of Trustees.

On motion of Mr. Pearson, the appointment of Mr. White was confirmed by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	St. John
Bailey	Hilliard	McDonald	Smith
deGraffenried	Holmes	Mitchem	Taylor
Denton	Keener	Pearson	Teague (J)
Goodwin	Kirkland	Proctor	Vacca
Hall	Lemaster	Robertson	White
Harrison	Little		

—25

Nays:

—0

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 266. REQUESTING THE ALABAMA LAW INSTITUTE AND THE LEGISLATIVE COUNCIL TO CONDUCT AN ORIENTATION IN TUSCALOOSA AND MONTGOMERY FOR LEGISLATORS ELECTED IN THE 1982 GENERAL ELECTION.

Also:

H. J. R. 293. HONORING DR. ROBERT L. RANDOLPH UPON HIS INAUGURATION AS PRESIDENT OF ALABAMA STATE UNIVERSITY.

On motion of Mr. McDonald, the Resolutions were then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 406. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 294. NAMING A SOFTBALL FIELD IN BOWERS PARK, TUSCALOOSA, ALABAMA, THE "JERRY EUGENE JONES SOFTBALL FIELD."

Also:

H. J. R. 286. MOURNING THE DEATH OF DR. ERIC RODGERS, NOTED PHYSICIST AND FORMER DEAN OF THE GRADUATE SCHOOL, UNIVERSITY OF ALABAMA.

Also:

H. J. R. 257. COMMENDING GEORGE HATAWAY, JR., TUSCALOOSA, ALABAMA, ON HIS RETIREMENT.

Also:

H. J. R. 238. COMMENDING THE WEST END CHRISTIAN HIGH SCHOOL MARCHING CRUSADERS BAND.

On motion of Mr. deGraffenried, the Resolutions were then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 165. RESETTING THE ELECTION DATE FOR ACT NO. 81-889, S. 32 OF THE FIRST SPECIAL SESSION 1981, PROPOSING A CONSTITUTIONAL AMENDMENT ON BUDGETARY MATTERS AND THE LEGISLATIVE PROCESS, AND RESCINDING THE ELECTION

DATE THEREON AS DESIGNATED BY ACT NO. 81-1190, H. J. R. 75, THIRD SPECIAL SESSION 1981.

Also:

H. J. R. 166. RECALLING ACT NO. 81-889, S. 32 OF THE FIRST SPECIAL SESSION 1981, PROPOSING A CONSTITUTIONAL AMENDMENT ON BUDGETARY MATTERS AND THE LEGISLATIVE PROCESS, FROM THE SECRETARY OF STATE AND RESCINDING THE ELECTION DATE THEREON AS DESIGNATED BY ACT 81-1190, H. J. R. 75, THIRD SPECIAL SESSION 1981.

Also:

H. J. R. 10. ENLARGING THE SCOPE OF THE INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTION OF TAX REVENUES AS CREATED BY ACT NO. 1178, H. J. R. 430 OF THE 1975 REGULAR SESSION AND EXTENDING BY ACT NO. 79-752, H. J. R. 250 OF THE 1979 REGULAR SESSION, SO AS TO STUDY VARIOUS PROBLEM AREAS AND ISSUES OF THE RETIREMENT SYSTEMS OF ALABAMA.

Also:

H. J. R. 241. CONGRATULATING THE TUSKEGEE INSTITUTE TIGERETTES, RUNNERS-UP TO THE NCAA-II WOMEN'S BASKETBALL CHAMPIONSHIP.

On motion of Mr. McDonald, the Resolutions were then concurred in and adopted by the Senate.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 233. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-sixth legislative day of the 1982 Regular Session only:

BILL NO.	PAGE NO.	DESCRIPTION
S. B. 315	109	Air transportation Office, est.
S. B. 485	85	Legislature, add'l approp.
S. B. 477	86	Alabama Housing Finance Auth. suppl. approp.
S. B. 195	57	Schools, support personnel, fair dis.
S. B. 416	84	Governor, Sec. of St., St. Auditor, salary
S. B. 293	44	Teachers and personnel, salary inc.
S. B. 108	45	Empl's salary inc.
S. B. 387	70	County Commissioners salary
S. B. 109	42	Fee system abolished, tax collector, etc.
S. B. 110	42	Fee System abolished c/a

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S. B. 410	71	ERS, state to pick-up certain mem. contri.
S. B. 45	50	ERS, re-open for 60 yrs. or older
S. B. 300	64	Alabama Supreme Court, add'l staff approp.
S. B. 344	58	Drivers License, persons ineligible
S. B. 66	9	Driver education, eliminated to grad.
S. B. 514	97	Securities, pledging of letters of credit
S. B. 254	26	Alabama Dental Serv. Corp. Act
S. B. 468	83	Legislature, enact local leg.
S. B. 184	47	National guard, defense counsel
S. B. 390	75	Historical Commissions
S. B. 333	68	Trusts, support of relatives, created
S. B. 191	120	Alcoholic Bev., age raised to 21 years
S. B. 206	67	Bingo, legalized
S. B. 386	60	Susie P. Stringfellow Mem. Hosp.
S. B. 428	69	Motor Veh., oversized loads moved, spec. per.
S. B. 479	84	Solid Waste Auth. resource rec.
S. B. 433	82	Alcoholic Bev., manufactors, & importors, reg.
S. B. 317	70	Elections, voter reg. file maint. sys.
S. B. 469	81	Indus. Dev. Bds., Hydroelectric fac.
S. B. 451	78	Indus. Dev. Bds., filing with probate
S. B. 332	68	Probate Courts, curator
S. B. 144	51	Empl's longevity pay after 5 yrs. approp.
S. B. 164	65	Motor vehicles, length exemptions
S. B. 371	54	Fires, report losses if over \$500
S. B. 476	114	Small Loan Act, report of lic.
S. B. 384	100	Libraries, conf. of rec.
S. B. 464	104	Child Support, withholding unemploy- ment comp.
S. B. 466	105	Unemployment Com., child support to conform with fed.
S. B. 472	106	Unemployment Com/ Soc. Sec. job dis.
S. B. 106	23	Insurance, lic. fees alt.

On motion of Mr. McDonald, said Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 256. COMMENDING THE SELMA-DALLAS COUNTY CHAMBER OF COMMERCE AND MRS. CAROLYN HUTCHESON FOR THE HOSPITALITY SHOWN TO THE JOINT INTERIM COMMITTEE STUDYING THE CAHABA STATE CAPITOL SITE.

On motion of Mr. Goodwin, said Resolution was then concurred in and adopted by the Senate.

RECESS

At 12:05 P.M., on motion of Mr. St. John, the Senate took a recess until 1:30 this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor McMillan. A quorum of the Senate was present.

REPORTS OF COMMITTEES

Mr. Bailey, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Teague (J):

S. 537. To require that group, individual, or blanket hospital or medical expense insurance policies or hospital or medical service contracts issued for delivery in this State which include mental health services in the terms of the policies or contracts, shall include reimbursement for services rendered by a duly qualified psychologist of this State notwithstanding any provisions of the policies or contracts to the contrary.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. White (with notice and proof):

S. 527. To amend subsection (e) of Section 14 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pages 717-739) which said Act No. 497 established a pension system for officers and employees of Jefferson County, which said Section 14 was last amended by Act No. 1060 of the Regular Session of the Legislature of Alabama of 1981.

By Reps. Cheatwood, Trammell and Boles (with notice and proof):

H. 408. Relating to Jefferson County; to provide certain health benefits to members of the General Retirement System for Employees of Jefferson County who have retired on a superannuation or disability until said member reaches eligibility for Medicare and/or Medicaid, and to provide for the funding of said benefits.

By Rep. Waggoner (with notice and proof):

H. 580. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

By Mr. Hilliard (with notice and proof):

S. 534. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Bedsole, Johnson (R. G.), Roberts, Dixon and Stout:

H. 300. To provide for the participation by the State of Alabama in the Southeast Interstate Low-Level Radioactive Waste Compact; to provide for the designation of this state's members on the Southeast Interstate Low-Level Radioactive Waste Commission; to provide for the acquisition of property and the operation of a treatment, storage or disposal site; to require a faithful performance bond in the amount of \$2,000,000; to create a Radiation Safety Fund; to provide for the collection of fees; appropriates \$25,000 from the general fund to the Southeastern Low-Level Radioactive Waste Commission; and provides penalties for violations.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported, that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith:

S. 542. To authorize any industrial development board, heretofore or hereafter organized under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, or Article 4 of Chapter 54 of Title 11 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, use, operate, lease and dispose of, certain facilities for the use of any such industrial development board and certain other organizations, association and foundations.

By Mr. Martin:

S. 538. To amend Section 11-88-6, Code of Alabama 1975, which provides for boards of directors of county and municipal water, sewer and fire protection authorities, so as to provide further for the maximum amounts paid to such board members and chairmen for their meetings.

By Mr. White:

S. 499. To amend Sections 3 and 8 of Act No. 79-678, regular session 1979, effective July 30, 1979; to further define the buildings, the design of which requires architectural services; to further define the interprofessional privileges between architects and professional engineers; and, to provide further for practice of architecture by corporations and professional associations.

By Rep. Starkey:

H. 9. To validate, in certain cases, port authorities attempted to be incorporated under the provisions of Act No. 80-647 adopted at the 1980 Regular Session of the Legislature of Alabama (Sections 11-94-1 et seq. of the Code of Alabama 1975, as amended) and invalid because of any irregularity in the procedure for incorporation.

By Rep. Dixon:

H. 205. To amend Sections 32-6-254 and 32-6-250, Code of Alabama 1975, relating to Medal of Honor Recipients and Prisoners of War distinctive license plates, so as to provide that said plates shall be permanent and that certain allied prisoners of war shall receive said plates.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1 reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bailey (with notice and proof):

S. 532. Relating to Barbour County; to provide further for the expense allowance of the coroner.

By Mr. McDonald (with notice and proof):

S. 536. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Madison in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises, and providing for penalties.

By Rep. Langford (with notice and proof):

H. 688. To provide that the operation of bingo games for prizes or money only by qualified organizations for bona fide charitable, educational, or other lawful purposes shall be legal in Montgomery County, to provide for permits or licenses, applications, forms and contents to operate bingo, to provide for special permits or licenses, to prohibit certain activities and impose special requirements; to provide for fees and expenses; to provide for the disposition of proceeds; to provide for the operation of bingo; to provide for the keeping of records and their inspection; to provide for the issuance and revocation of permits or licenses; to provide for supervision by the circuit court; to provide for certain powers and duties of the sheriff; to provide for penalties and forfeitures; and to provide that this act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery County, and approved at a referendum on the subject in the county; provided, however, if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery County, no further referendum is needed.

By Rep. Langford:

H. 689. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit organizations for charitable or educational purposes in Montgomery County.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Blake (with notice and proof):

H. 718. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

By Rep. Edwards (with notice and proof):

H. 733. To provide for a certain increase in court costs in the Wilcox County division of the Fourth Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Wilcox County.

By Rep. Edwards:

H. 734. To propose a constitutional amendment regarding the altering of costs and charges of courts in Wilcox County.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Dial (with notice and proof):

H. 736. To further provide for the administration of absentee voting in Clay County, except during municipal elections.

By Rep. Gilmer:

H. 741. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Lamar County, Alabama.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Gilmer:

H. 742. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Fayette County, Alabama.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Mitchell and Clark (G) (with notice and proof):

H. 760. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to change the charges and costs of court in Pickens County and to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges or changes in court costs.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Mitchell and Clark (G) (with notice and proof):

H. 761. Relating to Pickens County; providing for an increase in court costs and providing for the disposition of the proceeds from such increase; and providing for the conditions upon which the provisions of this act shall become effective.

By Reps. Mitchell and Clark (G) (with notice and proof):

H. 762. Relating to Pickens County; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the county revenue commissioner to the probate judge requiring an additional bond of the probate judge; providing for the payment of fees and commissions to the probate judge of the county, the distribution of the taxes to municipalities and the state, and the payment of commissions to the judge of probate; and defining terms.

By Rep. Pegues (with notice and proof):

H. 765. Relating to Perry County; providing for an expense allowance for members of the board of education and repealing Act No. 187, S. 134, 1971 2nd Special Session, (Acts 1971, p. 4448).

By Rep. Letson (with notice and proof):

H. 767. Relating to Lawrence County; to rearrange the boundaries of the City of Moulton, so as to exclude from the corporate limits of said city certain territory within such limits.

By Rep. Cobb (with notice and proof):

H. 771. To amend Section 1 of Act No. 312, H. 461 of the 1973 Regular Session of the Legislature (Acts 1973, p. 443), relating to branch banking in Marion County, Alabama, so as to provide that any bank in Marion County shall be permitted to branch into any municipality in the county that does not presently have banking facilities.

By Reps. McMillan and Penry (with notice and proof):

H. 774. To provide the sheriff's department of Baldwin County with a specific number of employees, establish the rate of compensation for said employees and provide training of such employees.

By Reps. Penry and McMillan (with notice and proof):

H. 775. Relating to Baldwin County; to authorize the county commission, in its discretion, to appropriate funds from the county general fund to be expended by the sheriff to conduct investigations and to enforce the laws relating to the possession and sale of drugs and controlled substances.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Grimsley, Daniels and Williams (with notice and proof) (with amendment):

H. 706. To Authorize and make provision for the incorporation in the City of Dothan of the Dothan Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and

to locate new facilities in the central business district of Dothan; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purpose; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceeds authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in

respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gulledge:

S. 543. To create the Alabama Indian Affairs, Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Martin:

S. 286. To exempt the Morgan County Council on Aging, Inc., from the payment of all state, county and municipal sales and use taxes.

By Messrs. Bailey, Miller, Kirkland, Parsons, Little, Harrison, Robertson, Hilliard and Figures:

S. 446. To provide a salary increase by the State for the official court reporters, payable from the general fund of the state treasury; and to provide an effective date.

By Rep. Clark (G):

H. 165. To further regulate the taxation of beer by levying an exclusive statewide local privilege or excise tax on every person licensed under the provisions of Title 28, Article 3A, Code of Alabama 1975, who sells, stores or receives for the purpose of distribution, beer; to provide for the collection and distribution of the proceeds of said tax; to authorize county and municipal license fees; to provide for penalties; to proscribe unlawful acts and offenses and prescribe punishment therefor; to provide for eligible counties a phase-out system of net revenue loss from local beer tax; and to supersede and repeal

all local taxes, county and municipal, levied on or measured by the sale of beer, except general sales taxes.

By Messrs. White and Proctor:

S. 141. To provide for the creation of the Alabama Health Planning Commission; to provide for the legislative intent; to provide for definitions; to provide for the composition and manner of selection of the Commission, including the power to promulgate rules and regulations; to provide for the selection of a chairman and fix the tenure of his office; to provide for the employment of an administrative officer and the manner in which his salary is fixed; to provide for per diem and reimbursement for allowable expenses for the members of the Commission; to specify the number of commissioners constituting a quorum for the transaction of business; to place restrictions upon participation by Commission members having an interest in matters before the Commission; to specify the location of the offices of the Commission and the place for the meeting of the Commission; to create and establish an advisory council; to specify the number and manner of selection of the members of the council; to specify the manner of selection of the chairman of the council; to specify the frequency of the meetings of the council and to specify the number of members constituting a quorum for the transaction of business; to specify the functions and duties of the council; to provide for the transfer of personnel and employees from agencies of the State of Alabama to the Alabama Health Planning Commission; to specify the scope of review and the minimum capital expenditure; to provide for certain notification for the issuance of a certificate of need by the Commission; to provide for promulgation of rules and regulations establishing the criteria and clarifying definitions for reviews for certificates of need; to prohibit any person from acquiring, constructing or operating an institutional health service without first obtaining the certificate of need described in this bill; to provide for waiver of formal review and substitutes nonsubstantive review under certain stated conditions; to specify the effective period of the certificate of need and the period for commencement and completion of the project; to prohibit transferability of the certificate of need; to provide for the establishment of a fee to be collected by the Commission for the defraying of operating expenses; to authorize an appropriation from the general funds of the State of Alabama to defray the cost of administering the Act; to specify the manner of disbursement of funds of the Commission; to provide for further review of amounts of capital expenditures which exceed the amount specified in the certificate of need; to prescribe certain findings to be made in writing for issuance of certificates of need; to prescribe the time in which the Commission shall act upon applications for certificates of need; to provide for certain named exemptions from the provisions of the Act; to require the Attorney General to appoint counsel to advise the Commission; to provide immunity from liability; to provide for notice of termination of specified services; to provide for injunctive relief in favor of specified persons against violations of the Act; to assign the duty to the Attorney General to furnish legal services to the Commission; to prohibit the State Board of Health from issuing licenses to facilities constructed in violation of the Act; to deny reimbursement for services rendered by facilities constructed in violation of the Act; to prescribe the submission of an annual report to the Governor and to the Legislature; to provide for the transfer of assets, liabilities, papers, records, equipment, furniture, and other tangible property from the State Health Planning and Development Agency to the Alabama Health Planning Commission, to provide for the transfer of funds in the State Treasury to the Alabama Health Planning Commission; to provide for the continued effectiveness of current agency actions, rules, regulations, plans and procedures; to provide for the

transfer of employees performing duties pertaining to the functions of the Commission; to provide that the provisions of the Act are severable; to repeal stated portions of the Code of Alabama, 1975; to provide for the effective date of the Act.

By Mr. Little:

S. 223. To amend further section 40-18-15 of the Code of Alabama 1975 relating to deductions from state income taxation, so as to provide deduction for contributions to certain retirement plans.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Callahan and Teague (With Substitute (With Amendment):

S. 489. To provide that the retirement income of certain peace officers shall be exempt from state, county and municipal income taxes the same as the exemptions provided for by Sections 16-25-23 and 36-27-28, Code of Alabama 1975.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Owens:

H. 154. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

By Rep. Owens:

H. 155. To make appropriations for the support and maintenance of the Talladega College.

By Rep. Owens:

H. 156. To make appropriations for the support and maintenance of the Marion Military Institute.

By Rep. Owens:

H. 158. To make appropriations for the support and maintenance of the Walker County Junior College.

By Rep. Reed:

H. 397. To make appropriations for the support and maintenance of the Tuskegee Institute.

By Mr. White:

S. 389. To establish the Victim/Witness Services Act; to define specific terms used; to prescribe that an Office of Victim/Witness Services be established under which the provisions of this act shall be administered. The Office of Victim/Witness Services shall develop guidelines for funding Victim/Witness Service Programs as prescribed by this act; shall process applications from local groups who wish to seek funding for provision of victim/

witness services; shall award contracts to those agencies who develop promising programs which address the service needs of victims and witnesses in a comprehensive manner; and, shall monitor those programs which are selected to assure that those programs are delivered in a manner which targets the special needs of victims/witnesses. The Office of Victim/Witness Services is authorized to promulgate, issue and implement reasonable rules and regulations necessary to assure that local service programs seeking funding under this act are aware of the criteria for program funding, the method of evaluating proposals submitted under this act, and the requirements mandated upon receipt of program funding, as well as procedures for terminating funds. The Office of Victim/Witness Services is authorized to utilize funding from this act for administration of this program, to formulate and conduct necessary research on the impact of criminal victimization upon the citizens of Alabama; to carry out program evaluations to assure adequate performance; to conduct educational programs designed to improve public awareness of crime and its negative impact upon the quality of life in Alabama; to coordinate services for victims in Alabama; and to serve as a clearinghouse for information relating to the problems of victim/witnesses and the services provided. Additionally, the office shall report annually to the legislature on the status of criminal victimization in Alabama, as well as the status of programs and services authorized under this act. This act also creates a structure for this program in the State government and enables a 15 member advisory board to be appointed for this office. This act provides for the office of Victim/Witness Services to obtain funding through the general fund.

By Mr. Martin:

S. 234. To amend the title and section 1 of Act No. 79-611, H. 239, 1979 Regular Session (Acts 1979, p. 1081), now appearing in Section 36-27-15.2, Code of Alabama 1975, relating to the granting of creditable service in the retirement systems for service out-of-state, so as to provide for the transfer from the teachers' retirement system to the employees' retirement system and vice versa.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McDonald, Lemaster, and Smith (With Amendment):

S. 312. To make a supplemental appropriation from the Alabama Special Educational Trust Fund to the Madison County Board of Education for capital outlay purposes to be used to restore or replace the Central School which was destroyed by fire.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Mr. Martin (With Substitute):

S. 236. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

By Messrs. White and Callahan:

S. 418. To regulate the practice of Interior Design; to provide for the registration of qualified persons as professional Interior Designers; to create

the Alabama State Board of Registration for Interior Designers; to provide for the appointment of its members; to fix the term of the members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish the Interior Designer Fund; and to provide for the enforcement of this Act.

By Mr. Taylor:

S. 380. To amend Section 36-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

INTRODUCTION OF BILLS

Upon a call of districts, Rule 10 was suspended and bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Britnell and Denton (with notice and proof):

S. 545. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

Committee on Local Legislation No. 1.

I hereby certify that the Notice and Proof is attached to the Bill, S. B. 545, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,
Secretary.

By Messrs. Britnell and Denton:

S. 546. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Lemaster:

S. 547. To amend Section 13A-9-13.1 of the Criminal Code of Alabama, which relates to the crime of negotiating worthless negotiable instruments, so as to include the presentation or negotiation of a worthless negotiable instrument for the payment or repayment of a valid indebtedness as a crime under said section.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Barton (with notice and proof):

H. 729. Relating to Tuscaloosa County; providing further for the compensation of certain city and county officers.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 729, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Dial (with notice and proof):

H. 788. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 788, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Reed (with notice and proof):

H. 815. Relating to Macon County; to authorize and provide for the establishment, maintenance, equipping, operating and financing of a public law library in Macon County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 815, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Reed (with notice and proof):

H. 816. Relating to Macon County; to amend Act 81-585, H. 1001, 1981 Regular Session, providing for a discretionary expense allowance for members of the board of registrars, so as to make said expense allowance mandatory.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 816, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 729, 788, 815, 816. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Jackson:

H. 529. To amend sections 21-3-1, 21-3-2, 21-3-4, 21-3-5 and 21-3-8 of the Code of Alabama 1975 relating to crippled and disabled children, so as to include children with sickle-cell anemia within its provisions.

Also:

By Rep. Owens:

H. 697. To make an additional appropriation for salaries and other expenses for the use of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 529 and 697. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers, Daniels, Johnson (R. G.), Warren and Williams:

H. 108. To amend Section 16-25-3, Code of Alabama 1975, to provide for the reopening of the teacher's retirement system so as to allow certain members to repay on or before the date of their retirement, any contributions previously withdrawn plus interest.

Also:

By Reps. Johnson (R. G.), Carothers, Shoemaker and Bedsole:

H. 362. Establishing the criminal offense of pharmacy robbery as a separate class of robbery under the criminal code of this state and prescribing certain penalties therefor.

Also:

By Rep. Williams:

H. 289. To define certain terms; to provide that possessing, obtaining, receiving, selling or using a short-barreled rifle or short-barreled shotgun, except by a peace officer acting in the course of or in connection with his official duties, is a Class C felony; to provide that changing, altering, removing, or obliterating the name of the maker, model, manufacturer's number or other mark or identification of any firearm, or possessing such a firearm, is a

Class C felony; to provide that violation of this act in the course of or in connection with the commission of another felony shall be punished as a Class B felony; to provide that this act is supplemental to any other law and its penalties are in addition to those otherwise provided by law; to repeal §13A-11-82; to provide that the provisions of this act are severable; and to provide that this act shall become effective immediately.

Also:

By Reps. Cobb, Goodwin and Higginbotham:

H. 383. To prohibit the possession or sale of certain brass or steel teflon-coated handgun ammunition; to provide exemptions; and to prescribe penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 108. To the Committee on Finance and Taxation.

H. B's 362, 289, and 383. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Albright, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 309. CONGRATULATING MRS. MARY ELEANOR (NELL) COE OF JACKSON COUNTY, ALABAMA, ON HER UPCOMING 93RD BIRTHDAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 309, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Adams (H) (with notice and proof):

H. 752. Relating to Cherokee County; to provide for the construction, repair and maintenance of County Roads as a unit without regard to District or Beat lines.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 752, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 791. Relating to Fayette County; to establish a special fund in the county treasury to pay a bounty to any resident of Fayette County on certain beaver trapped or killed in Fayette County; to provide for the administration of said fund and bounty system; and to prescribe punishment for any person found guilty of falsely making claim for a bounty.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 791, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Gafford, Waggoner, Moore, Biddle, Boles, Amari, Howard, Bennett, Cheatwood, Cabaniss, Jackson, Olive, Payne, Trammell, Lewis, Horn, Seibels, Escott and Nevett (with notice and proof):

H. 808. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 808, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 752 and 791. To the Committee on Local Legislation No. 1.

H. B. 808. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 10. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Also:

By Reps. Cosby, Edwards and Harper (T):

H. 204. To make an appropriation from the state general fund for the relief of Linda Roberts of Dallas County who was gravely injured by two state prisoners who had escaped after being incarcerated in a county jail facility.

Also:

By Reps. Daniels, Cates, Penry and Whatley:

H. 301. To amend Section 36-7-21, providing for out-of-state travel for State employees; to allow the Commissioner of Agriculture and Industries to approve out-of-state travel requests of persons representing the State Department of Agriculture and Industries.

Also:

By Rep. Owens:

H. 336. To authorize municipal corporations to levy additional fees and to provide for the use of said fees.

Also:

By Reps. Biddle, McCorquodale, Pegues, Sasser, Cosby, Willis, Crow, Warren, Stewart, Zoghby, Parker, Turner, Carter, Dial, Shoemaker, Whatley, Penry, McKee, Bedsole, Roberts, Johnson (R. G.), Patton, Albright, Clark (G), Daniels, Harper (T), Lewis, Bowling, Rains, Kelley, Adams (H), Cobb, Starkey, Waggoner, Moore, Cheatwood, Olive, Horn, Bennett, Williams, Naramore, Payne, Trammell, Holley, Seibels, Hammett, Venable, Dixon, Grouby, Langford, Mitchell, Campbell, Carothers, Owens, Hines, Ray, Manley, Cates, Adams (C), McMillan, Smith (M), Smith (C), Boles, Amari, Brakefield, Minus, Edwards, Shavers, Gilmer, Blake, Harper (O), Ford, Cabaniss, Reed, Sandusky, Hall, Letson, Stout and Barton:

H. 725. To withdraw from incorporated municipalities the power to enact an ordinance outlawing or taxing the possession or ownership of handguns.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 10, 301, 336, and 725. To the Committee on Governmental Affairs.

H. B. 204. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 272. Relating to Jefferson County; An Act fixing supplemental salaries or compensation to be paid certain retired district judges in the 10th Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Roberts (with notice and proof):

H. 801. Relating to Morgan County; to provide for the adoption and publication of certain motor vehicle weights and limits, which shall be deemed as adequate notice for purposes of penalizing offenders.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 801, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Roberts (with notice and proof):

H. 802. Relating to Morgan County; to authorize the county to contract with any municipality within Morgan County and any municipality within Morgan County to contract with Morgan County to lease or sell to each other used equipment and/or other materials or items used or usable by counties and municipalities and to make street signs and sell the same to municipalities all without advertising for bids.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 802, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Johnson (Roy) and Barton (with notice and proof):

H. 804. Relating to the City of Tuscaloosa, to alter the compensation of the mayor.

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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 804, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Adams (C) and Whatley (with notice and proof):

H. 805. Relating to Russell County; repealing Act No. 436, H. 923, 1975 Regular Session (Acts 1975, p. 1048), which provides for the jurisdiction of the Inferior Court, the compensation of the judge and constables, and the duties of the clerk of said court.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 805, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Adams (C) and Whatley (with notice and proof):

H. 806. Relating to Russell County; repealing Act No. 502, H. 2087, 1971 Regular Session (Acts 1971, p. 1220), which is a population based bill that provides for the compensation of the judges, constables and clerks of the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 806, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Whatley and Adams (C) (with notice and proof):

H. 807. Relating to Russell County; providing for the districts and election of the members of the county board of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 807, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Sasser (with notice and proof):

H. 809. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service for summoning witnesses and summons and complaints in Henry County so that such service and subpoenas may be by United States mail in the county under certain conditions.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 809, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Campbell (with notice and proof):

H. 814. To amend Act No. 79-157, S. 222, 1979 Regular Session (Acts 1979, p. 256), which act establishes a policemen's and firemen's retirement fund for the City of Anniston, so as to empower the Board of Trustees with the authority to amend the benefit formula contained in said act; to empower the Board to employ the services of an actuary and to provide for the minimum qualifications of such actuary.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 814, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 817. Relating to Fayette County; to alter the compensation of the members of the county commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 817, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 801, 802, 804, 805, 806, 807, 809, 814, and 817. To the Committees on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (R. G.), Carothers, Roberts and Patton:

H. 100. To specifically prohibit the manufacture, distribution, possession, advertisement and sale to minors of "look alike" or imitation controlled substances; to establish definitions and penalties; to provide for seizure and forfeiture of such substances.

Also:

By Reps. Waggoner and Turnham:

H. 67. To require that persons who transport children under the age of three use a passenger restraint system in certain instances; to provide penalties for violation of the act.

Also:

By Rep. Sasser:

H. 134. To amend Section 40-17-220, Code of Alabama, 1975, to provide for that purchases of gasoline, motor fuel and lubricating oil by post-secondary state institutions shall be exempt from taxation under the levy provided for in Section 40-17-220, Code of Alabama, 1975.

Also:

By Rep. Manley:

H. 471. To provide that theft by conversion of payments made for property improvements shall constitute a criminal offense and to provide criminal penalties.

Also:

By Rep. Riddick:

H. 474. To amend Section 15-9-2, Code of Alabama 1975, which relates to the authority of municipalities to offer rewards so as to increase the limit on such rewards from \$200.00 to \$3,000.00, and to further authorize such municipalities to honor any offers of reward not exceeding \$3,000.00 made prior to the effective date of this Act.

Also:

By Rep. Turner:

H. 283. To amend further section 36-25-1, Code of Alabama 1975, relating to the code of ethics for public officials and employees, so as to exempt certain firemen from the provisions of such code of ethics.

Also:

By Rep. Minus:

H. 341. To amend the "Hazardous Waste Management Act of 1978," as amended, and as now appearing as Sections 22-30-1 through 22-30-24, Code of Alabama 1975, specifically amending Sections 22-30-12, 22-30-13, and 22-30-19 of the Code, so as to correct typographical errors and to clarify the penalties section of the Act; to define "criminal negligence" under the act and to further provide for the application of the penalties section to the storage facilities, all of which are necessary to comply with federal law and the rules and regulations formulated by the United States Environmental Protection Agency for the continued approval and funding of the Alabama's hazardous waste management program in lieu of federal administration; to insure that hazardous waste shipped outside of the State of Alabama is transported to and disposed of in only those sites approved by either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency; and to ensure that the State Board of Health and the Division charged with responsibility for recommending approval or disapproval of hazardous waste site permit applications have sufficient time to make a complete and thorough review of the permit application prior to any approval of such application.

Also:

By Reps. Drinkard and Ford:

H. 542. To provide that the State Personnel Board, with the approval of the Governor, may provide that the State shall pick-up member contributions to the Employees' Retirement System of Alabama and that such contributions shall be treated as employer contributions for federal income tax purposes but shall continue to be treated as before for all other state law purposes and to further provide that the Supreme Court of Alabama may provide that the State and counties shall pick-up member contributions to the Judicial Retirement Fund and that such contributions shall be treated as employer contributions for federal tax purposes but shall continue to be treated as before for all other state law purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 100, 471, and 283. To the Committee on Judiciary.

H. B.'s 67 and 341. To the Committee on Health and Welfare.

H. B.'s 134 and 542. To the Committee on Finance and Taxation.

H. B. 474. To the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Kelley and Dial:

H. 724. To amend Section 36-26-15 of the Code of Alabama 1975 relating to the state merit system so as to further provide for the veteran's preference.

Also:

By Rep. Starkey:

H. 50. To amend further Sections 37-2-41, 37-4-23 and 37-4-24 of the Code of Alabama 1975, relating to inspection and supervision fees paid by transportation companies and utilities so as to provide further for the mode and method of paying such fees and charges; to provide further for the recovery of delinquent fees and for collection of sums due.

Also:

By Rep. Hammett:

H. 659. To add a Subsection 4 to Section 11-54-80 of the Code of Alabama of 1975, as amended, to include hydroelectric utility facilities in the definition of projects qualifying to be financed through Industrial Development Boards.

Also:

By Rep. Adams (H):

H. 246. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

Also:

By Rep. Edwards:

H. 60. To amend further §11-41-1, Code of Alabama, 1975, as amended, relating to the incorporation of municipalities so as to increase the population requirements for the incorporation of an unincorporated community.

Also:

By Rep. Warren:

H. 94. Authorizing certain governmental entities to voluntarily contribute or otherwise appropriate at their discretion certain public funds for the support of juvenile probation services in their respective jurisdictions.

Also:

By Reps. Zoghby and Waggoner:

H. 509. To authorize voluntary income tax check-off for support of the arts; to establish the Arts Development Fund from the net proceeds generated from such contributions; to provide for the distribution of such funds to certain tax exempt organizations or associations which encourage the development of high quality and significant art and cultural activities or facilities; to prescribe certain responsibilities for the Commissioner of Revenue in collecting such funds and forwarding the proceeds to the State Treasurer for deposit in the general fund of the state treasury in a fund designated "Arts Development Fund"; to provide for continuous appropriations from such fund to the Council on the Arts and Humanities for the purposes of this act and Sections 41-9-40 through 41-9-47 of the Code of Alabama 1975, relating to the powers, duties and responsibilities of the said council; to prescribe the substantial content for tax returns to provide for such contributions; to provide that such funds shall be supplemental and shall not be construed to be in lieu of annual appropriations; and to provide for an effective date.

Also:

By Rep. Bennett:

H. 125. To amend Section 16-28-4 of the Code of Alabama 1975 providing for the minimum age at which a child may enter school so as to provide that a child who moves into this state having completed a mandated public kindergarten program in another state shall be admitted to school regardless of age.

Also:

By Rep. Cosby:

H. 75. To amend section 41-16-51, Code of Alabama 1975, as amended, relating to competitive bids so as to exempt purchases of Local Housing Authorities organized under Chapter 1, Title 24, Code of Alabama 1975,

from monies other than those raised by state, county or city taxation or received through appropriations from state, county or city sources.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 724, 60, 94, and 75. To the Committee on Governmental Affairs.

H. B.'s 50 and 659. To the Committee on Commerce, Transportation, and Utilities.

H. B. 246. To the Committee on Judiciary.

H. B. 509. To the Committee on Finance and Taxation.

H. B. 125. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 70. To provide that certain retirement income of military personnel shall be exempt from state, county and municipal income taxes; to amend Section 40-18-20 of the Code of Alabama 1975, so as to increase the amount of retirement income that shall be exempt from taxation; to provide for different amounts of such exemption to become effective at subsequent dates.

Also:

By Rep. Sandusky:

H. 519. To amend Section 16-13-213, Code of Alabama 1975, relating to board of education notes in anticipation of warrants, so as to alter the period of refund, renewals or extension.

Also:

By Rep. McKee:

H. 673. To amend section 25-4-16, 25-4-77, 25-4-78, 25-4-94, and 25-4-118, Code of Alabama 1975, as last amended, so as to include amounts of the employee's portion of state unemployment and federal social security contributions paid by the employer without deduction from the employee's pay as "wages"; to permit receipt of benefits while attending training approved under the provisions of the Trade Readjustment Act of 1974 or, under certain criteria, leaving a job to enter such training; to remove "seeking a pension" as a cause for disqualification and permit fifty (50) percent reduction of social security or railroad retirement pension payments prior to deduction from benefits; to authorize release of information on wages, employment, benefits and location of individuals to child support agencies and to public and law

enforcement officials in the performance of their official duties and provide penalties for misuse thereof; to make other such amendments as are necessary to meet mandatory federal conformity provisions; to make minor administrative changes and to set the effective date for the provisions of this act.

Also:

By Rep. Sandusky:

H. 692. To amend Sections 16-13-71, 16-13-95 and 16-13-120, Code of Alabama 1975, each of which relates to the issuance of warrants by county boards of education and city boards of education, so as to eliminate the provisions of each of the said Sections that specify a maximum permissible rate of interest with respect to such warrants, and so as to eliminate the provision of Section 16-13-95, Code of Alabama 1975, specifying the rate of interest payable with respect to matured principal of or interest on such warrants.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 70. To the Committee on Finance and Taxation.

H. B.'s 519 and 692. To the Committee on Education.

H. B. 673. To the Committee on Business and Labor Relations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Cosby and Edwards:

H. 523. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses and other payments.

Also:

By Reps. Carothers, Johnson (R. G.) and Roberts:

H. 552. To authorize and provide for the incorporation by one or more counties or municipalities of the state of one or more health care authorities as public corporations to acquire, own and operate hospitals and other health care and related facilities within or without the boundaries of such counties or municipalities, or within or without the boundaries of the state; to provide for the making, filing, recording and amendment of the certificate of incorporation of each such authority; to provide for the government of each such authority by a board of directors and for the election, appointment, terms, compensation and removal of the members of such board of directors, and to

provide for the holding of regular, special or other meetings of such board of directors without regard to the provisions of Section 13A-14-2 of the Code of Alabama 1975, as amended; to provide for the officers of such authority; to specify the general powers and duties of such authority and its board of directors; to empower such authority to acquire, operate, lease and manage hospitals and other types of health care facilities; to empower such authority to borrow money and to issue and sell interest-bearing securities and refunding securities, and to provide for the terms and conditions of the sale of such securities; to provide for the payment of and the security for such securities and for the use of the proceeds of such securities; to provide that such securities may be secured by a foreclosable mortgage on any health care facilities or other properties of such authority; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge made by such authority; to provide that such securities and other contracts entered into by such authority shall not constitute or create a debt of the state or any political subdivision thereof, and shall constitute negotiable instruments; to authorize the investment of certain funds of such authority; to provide for the creation of special reserves and other funds as may be necessary or desirable for the corporate purposes of such authority; to provide that the publication of a notice of the adoption of a resolution authorizing the issuance of securities by any such authority will establish a limited period after such publication within which must be commenced any action or proceeding questioning the validity of such securities or any instrument securing the same; to empower such authority to engage in anticompetitive activities within the contemplation of state and federal antitrust laws; to authorize such authority to make expenditures that would be considered ordinary and necessary expenses of such authority under state income tax law, subject to certain exceptions; to authorize investment by certain persons, corporations and political subdivisions in the securities of such authority; to exempt each such authority and the property, income, securities and certain conveyances and documents thereof from all taxation by the state or any political subdivision thereof; to exempt the gross proceeds of sales of property used in the construction of health care facilities for an authority from all sales and similar excise taxes in the state, and to exempt such property from all use and similar excise taxes in the state; to exempt each such authority from all laws of the state governing usury or prescribing or limiting interest rates and, together with the officers, employees, and members of the board of directors thereof, from certain laws pertaining to competitive bidding; to authorize such authority, if its certificate of incorporation so provides, to exercise the same power of eminent domain as that appertaining to its authorizing subdivision of subdivisions, subject to certain exceptions; to authorize the designation of such authority as the agent of a county for certain public health purposes; to apply to such authority certain provisions of the Code of Alabama 1975, as amended, pertaining to tort claims and judgments against local governmental entities; to authorize, subject to certain conditions, such authority and any of its authorizing subdivisions to enter into leases covering projects of such authority and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by any such authorizing subdivision in any such lease shall be general obligations of such authorizing subdivision for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of such authorizing subdivision for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize such authorizing subdivisions to make special pledges of certain revenues and taxes as security for rentals payable and agreements to be performed by it under such lease; to provide the priority of any such special pledges; to authorize political subdivisions, and certain

public hospital corporations and public agencies, authorities or bodies to convey to any health care authority, with or without consideration, any health care facilities and other property owned by them; to specify the effect of such conveyance on certain permits then held by such corporations, agencies, authorities or bodies; to provide that such authority and the directors, officers and employees thereof shall not be subject to the provisions of Chapter 25 of Title 36 of the Code of Alabama 1975, as amended; to provide that, in the event of any transfer of a health care facility to any such authority, certain taxes, tax proceeds or other revenues shall thereafter be paid to such authority, subject to certain restrictions; to provide for the disposition of the earnings of any such authority, its dissolution and the disposition thereupon of its assets and properties; to provide that certain public hospital corporations and public agencies, authorities or bodies may reincorporate as health care authorities hereunder and to provide for certain consequences or effects of such reincorporation; and to provide that any law requiring attachment of fiscal notes to certain bills shall not apply to this act.

Also:

By Rep. Gafford:

H. 265. To provide that any justice or judge of the supreme court or a court of appeals who was holding office with such court on or before June 1, 1976, and who had time of service as a full-time state prosecutor or assistant prosecutor may have such service credited as time in a judicial position with the Judicial Retirement System; to provide that such credit shall be limited to 5 years; to provide that any such justice or judge must pay into the Judicial Retirement Fund a sum equal to 6% of his then annual salary for each year of such credit desired; and to further provide a one year period in which such election and purchase shall be completed.

Also:

By Rep. Waggoner:

H. 329. To amend Section 11-54-95 of the Code of Alabama 1975 so as to permit the filing of for record in the office of the judge of probate without the payment of any tax or fees (other than recording fees) not only any leases made by a municipal industrial development board but also any agreements or contracts of sale made by any such board and any deeds or other documents whereby properties are conveyed by any such board pursuant to a contractual obligation or as a result of the exercise of an option granted by such board, and so as to provide that such documents, as well as the other referred to in said Code section, may be so filed without the payment of any taxes or fees (other than recording fees) not only in the office of the judge of probate of the county in which such board is organized but also in the office of the judge of probate of any county in which any property involved is located.

Also:

By Rep. Amari:

H. 501. To amend Sections 26-2-1 and 26-2-45, Code of Alabama 1975, to provide that the courts may, in the exercise of their judicial discretion, appoint a "limited guardian" for a partially disabled person.

Also:

By Rep. Adams (H):

H. 668. Relative to Class 4, 5, 7 and 8 municipalities, to amend Section 9 of Act No. 79-722 to provide for the sale or lease of municipal property not needed for municipal or public purposes for use by a commercial enterprise in furnishing hotel services.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 523, 329, and 668. To the Committee on Governmental Affairs.

H. B. 552. To the Committee on Health and Welfare.

H. B. 265. To the Committee on Finance and Taxation.

H. B. 501. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Edwards:

H. 61. To amend Sections 11-42-21 and 11-42-22, Code of Alabama 1975, to eliminate the population requirements and thereby make the Sections applicable to all incorporated municipalities.

Also:

By Rep. Zoghby:

H. 133. To amend Section 21-7-4, Code of Alabama 1975, relating to the right of blind persons to be accompanied by a guide dog, so as to extend said right to persons using a hearing dog.

Also:

By Rep. McKee:

H. 663. To amend portions of the Alabama Unemployment Compensation Act contained in Sections 25-4-75 and 25-4-140, Code of Alabama 1975, as last amended, so as to comply with the mandatory provisions of Public Law 97-35, relating to unemployment compensation; the extended benefit program; to permit assignment of benefits in connection with child support obligation and to provide for the deduction of, and subsequent payment to state and local child support enforcement agencies, amounts authorized by an agreement by an obligee or upon order of a court and to correct an error incorporated in Act 81-424, Regular Session, 1981, amending Section 25-4-75.

Also:

By Rep. McKee:

H. 665. To provide a more effective means of enforcing child support obligations by providing for withholding, under certain circumstances, of amounts from the obligee's unemployment compensation of entitlement; for the forwarding of such amounts to the child support enforcement agency; to establish the required procedures and to provide for the payment of reasonable administrative costs in connection therewith by the child support agency.

Also:

By Rep. Clark (G):

H. 754. To establish a Public Defender Fund within the 24th Judicial Circuit and to provide funding for said Public Defender Fund.

Also:

By Rep. Riddick:

H. 768. To authorize any industrial development board, heretofore or hereafter organized under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, or Article 4 of Chapter 54 of Title 11 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, use, operate, lease and dispose of, certain facilities for the use of any such industrial development board and certain other organizations, associations and foundations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B. 61. To the Committee on Governmental Affairs.

H. B. 133. To the Committee on Health and Welfare.

H. B. 663. To the Committee on Business and Labor Relations.

H. B. 665. To the Committee on Judiciary.

H. B.'s 754 and 768. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Jackson:

H. 528. To prohibit certain insurance companies from denying certain coverage because a person has sickle-cell anemia.

Also:

By Rep. Roberts:

H. 373. To amend Section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

Also:

By Rep. Sasser:

H. 595. To create the Alabama Educational Television Foundation Authority as a public non-profit corporation; to prescribe the powers of such authority; to prescribe that such authority may receive, invest and expend donated monies for educational and eleemosynary purposes related to the support, promotion, development and growth of educational activities and public broadcasting and television in Alabama; to prescribe that such authority shall be exempt from all taxes, whether state, local or municipal; to provide for the membership of the authority, their qualifications and terms of office; to prescribe that the general manager of the state's public educational network shall be an ex officio non-voting member of the authority; and to prescribe that the Alabama Educational Television Commission shall continue as the governing body of the Alabama public network.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 528 and 595. To the Committee on Finance and Taxation.

H. B. 373. To the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Owens:

H. 221. To further provide for taxation relating to the sale of alcoholic beverages; to levy an additional state sales tax on the sale of alcoholic beverages sold at retail in Alcoholic Beverage Control Board stores; to provide that the revenues produced from the additional tax shall be collected by the Alcoholic Beverage Control Board and paid to the Department of Revenue for distribution; to allow the Department of Revenue to retain a reasonable sum for the cost of collection and redistribution of the net proceeds; to prescribe that all net proceeds generated by this act shall be distributed to the counties and municipalities in which the taxes are collected; to provide that the tax proceeds distributed to counties shall be used by those counties for law enforcement purposes; and to prohibit any county or municipality which receives proceeds pursuant to the provisions of this act from levying any additional taxes on the sale of alcoholic beverages which would be collected by the Alabama Alcoholic Beverage Control Board or its stores.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 221. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Amari, Bennett and Cabaniss:

H. 325. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools and to provide penalties for failure to report said incidents.

Also:

By Rep. Naramore:

H. 640. To create mine rescue stations within the State of Alabama as a part of the Division of Safety and Inspection of the Department of Industrial Relations; to provide for the location, training, compensation, benefits, qualifications and employment status of said station members; and to provide requirements of recovery work.

Also:

By Rep. Gilmer (with notice and proof):

H. 792. Relating to Fayette County; to provide for the expense allowance of Board of Education members; to repeal all prior laws providing for the compensation of Board Members; and to provide for the location of board meetings.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 792, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 793. Relating to Fayette County; to provide that 10% of all funds accruing to Fayette County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 793, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 794. Relating to Fayette County; providing for the election and qualification of members in the county governing body so as to provide that the members shall be elected by the qualified electors of each district and that each candidate therefor shall be a bona fide resident of the district which he seeks to represent and, if elected, remain so throughout his term of office; repealing all conflicting laws and specifically repealing Act No. 1092, S. 907 of the 1969 Regular Session (Acts 1969, p. 2027) which provides for such elections at large.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 794, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 795. Relating to Lamar County; to provide for the expense allowance of board of education members; to repeal all prior laws providing for the compensation of board members; and to provide for the location of board meetings.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 795, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 796. Relating to Lamar County; to provide that 10% of all funds accruing to Lamar County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 796, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Gilmer (with notice and proof):

H. 797. Relating to Lamar County; to alter the compensation of the members of the county commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 797, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Ray (with notice and proof):

H. 798. Relating to Barbour County; providing for a salary supplement for the district attorney.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 798, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Crow (with notice and proof):

H. 800. Relating to Calhoun County; amending Act No. 274, H. 990, Regular Session 1975 (Acts 1975, p. 809), which relates to the civil service board, so as to allow department heads to choose from a greater number of applicants on the list furnished by the board.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 800, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 325. To the Committee on Judiciary.

H. B. 640. To the Committee on Governmental Affairs.

H. B.'s 792, 793, 794, 795, 796, 797, 798, and 800. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Bedsole and Zoghby:

H. 123. To amend Sections 6-5-351 and 6-5-391 of the Code of Alabama 1975, relating to the rights of a father, or in certain circumstances, a mother, in bringing an action for the seduction or wrongful death of his minor child, so as to provide that the legal guardian, individual or agency last having custody may bring such an action, and to provide for the distribution of any recoverable damages that may be awarded.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 123. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hines:

H. 585. To make a conditional appropriation to the Board of Corrections for the fiscal year ending September 30, 1982.

Also:

By Reps. Laird, Mitchell, Langford, Kennedy, Moore, Johnson (R. G.), Letson, Brakefield, Boles, Riddick, Penry, Whatley, Trammell and Reed:

H. 339. To amend Section 37-1-58, Code of Alabama 1975, which relates to the filing of annual return of business by utilities doing business in the State of Alabama so as to allow utilities the option of filing annual business reports on either a fiscal or calendar year basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 585. To the Committee on Finance and Taxation.

H. B. 339. To the Committee on Commerce, Transportation, and Utilities.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Riddick, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 311. COMMENDING MISS CANDICE HEMPHILL, GOVERNOR OF THE 1982 ALABAMA Y. M. C. A. YOUTH LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 311, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration.

By Rep. Cosby:

H. J. R. 312. COMMENDING SELMA HIGH SCHOOL'S DEBATE TEAM, 1982 STATE CHAMPIONS.

Also:

By Rep. Turnham:

H. J. R. 313. RECOGNIZING COACH LUTHER McKENDREE YOUTH FOR DISTINGUISHED SERVICE TO AUBURN UNIVERSITY.

Also:

By Rep. Ward:

H. J. R. 314. COMMENDING MR. WILLIS CARL MATHEWS UPON HIS RETIREMENT FROM THE DOBBS MANUFACTURING COMPANY OF BIRMINGHAM, ALABAMA.

Also:

By Rep. Harvey:

H. J. R. 315. COMMENDING COLONEL GORDAN "JACK" MOHR OF BAY SAINT LOUIS, MISSISSIPPI, A DISTINGUISHED PATRIOT AND PROMINENT FUNDAMENTAL BAPTIST EVANGELIST.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 312, 313, 314, and 315, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Dixon:

H. J. R. 316. HONORING MRS. ALVA CRAIG WOLF UPON HER RETIREMENT AS COORDINATOR OF THE SPEECH THERAPY PROGRAM OF THE MONTGOMERY PUBLIC SCHOOLS.

Also:

By Rep. Cosby:

H. J. R. 317. COMMENDING THE JOHN T. MORGAN ACADEMY DEBATE TEAM 1982 STATE NOVICE CHAMPIONS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 316 and 317, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Smith (M), Riddick, Hall, Albright and Smith (J):

H. J. R. 319. COMMENDING MISS EVELYN CHRISTINE STRUCK OF HUNTSVILLE ON CONTINUING OUTSTANDING ACADEMIC ACHIEVEMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 319, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Payne, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 320. COMMENDING DR. MARIE L. O'KOREN, DEAN AND PROFESSOR, SCHOOL OF NURSING, UNIVERSITY OF ALABAMA IN BIRMINGHAM, ON HER TENTH ANNIVERSARY OF DISTINGUISHED SERVICE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 320, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Payne (with notice and proof):

H. 96. To amend further Section 11-41-1, Code of Alabama 1975, as amended, relating to the incorporation of a municipality so as to delete restrictions upon the incorporation of a municipality lying within or partly within the boundaries of a county having a population of 600,000 or more.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 96, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 96. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 228. HONORING MR. JOHN HANNAH FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT, AND AS AN EXEMPLAR OF CHRISTIAN PRINCIPLE.

Also:

S. J. R. 229. MOURNING THE DEATH OF ILAH NATION DEAN OF OPELIKA, ALABAMA.

Also:

S. J. R. 232. COMMENDING AUSTIN HIGH SCHOOL, DECATUR, ALABAMA, ON ITS U. S. HIGH SCHOOL NATIONAL RECORD IN UNITS OF BLOOD COLLECTED 1981-82.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 161. To amend section 4 of Act No. 135 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (Acts of 1978, p. 1868), §40-7-25.1, Code of Alabama 1975, which act was entitled "An Act to provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the Department of Revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on

such taxable property; and to provide an effective date for the act," so as to provide for the further definition of current use value of Class III property and to provide for methods of determining current use value on and after October 1, 1981 through the use of standard value formulas, to describe and set out those formulas, and to provide a mechanism for appeal of standard value determination with respect to individual parcels of Class III property.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the house having signed the following House Bills, your signature thereto is requested.

H. 337. To authorize the Barbour County Commission to compensate the Board of Equalization of Barbour County.

Also:

H. 545. Relating to Montgomery County; providing further for the salary of the tax collector, effective upon the next term of office.

Also:

H. 546. Relating to Montgomery County; providing further for the salary of the tax assessor, effective upon the next term of office.

Also:

H. 547. Relating to Montgomery County; providing further for the salary of the probate judge effective upon the next term of office.

Also:

H. 617. An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 636. To provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Barbour County; and to specifically repeal Act No. 81-731. H. 1048, 1981 Regular Session.

Also:

H. 638. Relating to Shelby County; providing for a salary adjustment for the sheriff of Shelby County.

Also:

H. 656. Relating to Fayette County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county at the end of the current term; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Also:

H. 657. Relating to Blount County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes,

under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

Also:

H. 677. Relating to Morgan County; providing for a certain salary supplement for the circuit judges of said county effective October 1, 1982.

Also:

H. 48. Proposing an amendment to the Constitution of 1901, providing for costs and charges of courts in Winston County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 161. To amend section 4 of Act No. 135 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (Acts of 1978, p. 1868), §40-7-25.1, Code of Alabama 1975, which act was entitled "An Act to provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the Department of Revenue to promulgate regulations regarding the determination of current use value, to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act," so as to provide for the further definition of current use value of Class III property and to provide for methods of determining current use value on and after October 1, 1981 through the use of standard value formulas, to describe and set out those formulas, and to provide a mechanism for appeal of standard value determination with respect to individual parcels of Class III property.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 10. ENLARGING THE SCOPE OF THE INTERIM COMMITTEE TO STUDY THE TAX STRUCTURE OF THE STATE OF ALABAMA AND THE DISTRIBUTION OF TAX REVENUES AS CREATED BY ACT NO. 1178, H. J. R. 430 OF THE 1975 REGULAR SESSION AND EXTENDED BY ACT NO. 79-752, H. J. R. 250 OF THE 1979 REGULAR SESSION, SO AS TO STUDY VARIOUS PROBLEM AREAS AND ISSUES OF THE RETIREMENT SYSTEMS OF ALABAMA.

Also:

H. J. R. 165. RESETTING THE ELECTION DATE FOR ACT NO. 81-889, S. 32 OF THE FIRST SPECIAL SESSION 1981, PROPOSING A CONSTITUTIONAL AMENDMENT ON BUDGETARY MATTERS AND THE LEGISLATIVE PROCESS, AND RESCINDING THE ELECTION DATE THEREOF AS DESIGNATED BY ACT NO. 81-1190, H. J. R. 75, THIRD SPECIAL SESSION 1981.

Also:

H. J. R. 238. COMMENDING THE WEST END CHRISTIAN HIGH SCHOOL MARCHING CRUSADERS BAND.

Also:

H. J. R. 241. CONGRATULATING THE TUSEK GEE INSTITUTE TIGERETTES, RUNNERS-UP TO THE NCAA-II WOMEN'S BASKETBALL CHAMPIONSHIP.

Also:

H. J. R. 256. COMMENDING THE SELMA-DALLAS COUNTY CHAMBER OF COMMERCE AND MRS. CAROLYN HUTCHESON FOR THE HOSPITALITY SHOWN TO THE JOINT INTERIM COMMITTEE STUDYING THE CAHABA STATE CAPITAL SITE.

Also:

H. J. R. 257. COMMENDING GEORGE HATAWAY, JR., TUSCALOOSA, ALABAMA, IN HIS RETIREMENT.

Also:

H. J. R. 266. REQUESTING THE ALABAMA LAW INSTITUTE AND THE LEGISLATIVE COUNCIL TO CONDUCT AN ORIENTATION IN TUSCALOOSA AND MONTGOMERY FOR LEGISLATORS ELECTED IN THE 1982 GENERAL ELECTION.

Also:

H. J. R. 286. MOURNING THE DEATH OF DR. ERIC RODGERS, NOTED PHYSICIST AND FORMER DEAN OF THE GRADUATE SCHOOL, UNIVERSITY OF ALABAMA.

Also:

H. J. R. 293. HONORING DR. ROBERT L. RANDOLPH UPON HIS INAUGURATION AS PRESIDENT OF ALABAMA STATE UNIVERSITY.

Also:

H. J. R. 294. NAMING A SOFTBALL FIELD IN BOWERS PARK, TUSCALOOSA, ALABAMA, THE "JERRY EUGENE JONES SOFTBALL FIELD."

Also:

H. J. R. 166. RECALLING ACT NO. 81-889, S. 32 OF THE FIRST SPECIAL SESSION 1981, PROPOSING A CONSTITUTIONAL AMENDMENT ON BUDGETARY MATTERS AND THE LEGISLATIVE PROCESS, FROM THE SECRETARY OF STATE AND RESCINDING THE ELECTION DATE THEREON AS DESIGNATED BY ACT 81-1190, H. J. R. 75, THIRD SPECIAL SESSION 1981.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 29. To amend Section 23-1-6, Code of Alabama 1975, which provides for the highway department to regulate and control the placing of markers, signs, and advertising on the right-of-way of all state-controlled highways; to prohibit the placing of any commercial sign, display, device, notice, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise on the right-of-way of any road, highway, or bridge which is a part of the state highway system whether title to said right-of-way be vested in the State of Alabama in fee, by easement, adverse possession, prescription or by any other means in which title may vest; provide notice to owner and for removal of said signs and penalty for the violation of any provision of this act, and to repeal any and all laws that conflict with any provision of this act.

as amended, which said amendment is set out in the Journal of the Senate for the Twenty-Third Legislative Day.

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And said Bill, S. B. 29, as amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Bailey	Harrison	Little	Pearson
Britnell	Holmes	Martin	Taylor
Denton	Keener	McDonald	Teague (J)
Goodwin	Kirkland	Miller	Vacca
Hall	Lemaster	Mitchem	Weeks

—20

Nays: —0

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 4. To amend Section 12-16-100 of the Code of Alabama 1975, relating to the drawing, selecting and impaneling of juries in criminal cases, so as to establish one-for-one strikes in criminal cases and to establish procedures for the selection and use of alternate jurors in criminal cases.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been public read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Manley:

H. J. R. 328. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when we adjourn today, Thursday, April 8, 1982, we adjourn to meet again on Wednesday, April 14, 1982.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 328, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 192. To provide further for the rights of sportsmen on state wildlife management areas; to further regulate the taking, capturing, trapping or killing of raccoon and fox; to prescribe that the taking, trapping, capturing or killing of raccoon and fox for commercial purposes shall be a misdemeanor crime; to prescribe penalties upon conviction therefor; and to provide that the provisions of this act shall be construed in *pari materia* with other such laws.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 10; Nays 1.

Yeas:

Messrs.:	Kirkland	Miller	Teague (J)	
Hall	Little	Mitchem	White	
Holmes	Martin	Smith		—10

Nay: Mr. Taylor. —1

The President and Presiding Officer of the Senate declared a quorum present but not voting.

The Bill:

S. 44. To provide that all teachers, administrative supervisory personnel, full time support employees, and adult school bus drivers at the Kate Duncan Smith High School in Grant, Alabama, shall, if they desire coverage, receive the hospital medical insurance supplement provided by the state for other such employees in the public schools of Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Taylor	
Britnell	Higginbotham	Miller	Teague (B)	
deGraffenried	Holmes	Mitchem	Teague (J)	
Denton	Kirkland	Parsons	White	
Goodwin	Little	St. John		—18

Nays: —0

The Bill:

S. 405. Exempting from the state competitive bid laws purchases and contracts for services made by any state department or agency whose principal business is honorariums and whose annual appropriation from the legislature is less than seventy-five thousand dollars (\$75,000).

was taken up.

RESOLUTION

Mr. Little offered the following Senate Resolution, to-wit:

S. R. 234. COMMENDING COLONEL TYRON E. TISDALE OF AUBURN, ALABAMA, UPON HIS RETIREMENT AS CITY MANAGER.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Owens:

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983; and to provide that certain employees shall be brought up to the normal step under the state pay plan; and to appropriate funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 150. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and sends same herewith to the Senate for its consideration:

By Rep. Sandusky:

H. 201. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 201. To the Committee on Governmental Affairs.

FURTHER CONSIDERATION OF S. B. 405

The Senate proceeded to further consideration of the Bill, S. B. 405.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clark (G):

H. 755. To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 755. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Waggoner, Biddle, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

H. J. R. 330. EXPRESSING APPRECIATION TO THE ALABAMA SYMPHONY ORCHESTRA FOR COURTESIES EXTENDED TO THE LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 330, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

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By Reps. Turnham, Hines, Boles, Ward and Whatley.

H. J. R. 327. MOURNING THE DEATH OF MR. ROBERT BRYANT STRONG OF AUBURN, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 327, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Gilmer:

H. 609. To provide for and prescribe time limits in which proceeds derived from the sale of oil and gas production shall be paid to the person or persons legally entitled thereto and to further prescribe interest penalties for failure to meet the said limits.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 609. To the Committee on Finance and Taxation.

FURTHER CONSIDERATION OF S. B. 405

The Senate proceeded to further consideration of the Bill, S. B. 405.

And said Bill, S. B. 405, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 10; Nays 6.

Yeas:

Messrs.:	Kirkland	Smith	Vacca	
Goodwin	Martin	Taylor	Weeks	
Holmes	Miller	Teague (B)		—10

Nays:

Messrs.:	Keener	Proctor	White	
deGraffenried	Mitchem	St. John		—6

The President and Presiding Officer of the Senate declared a quorum present but not voting.

BILLS ON THIRD READING RESUMED

The Bill:

S. 274. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the State Employees' Health Insurance Plan so as to extend eligibility for coverage to persons who are employed on a part-time basis by the State of Alabama and to provide for the payment of a pro rata portion of the premium costs by such employees.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 3.

Yeas:

Messrs.:	Holmes	Miller	Teague (B)	
Britnell	Keener	Mitchem	Vacca	
deGraffenried	Kirkland	Parsons	Weeks	
Denton	Lemaster	Proctor	White	
Harrison	Martin	Robertson		—18

Nays: Messrs.: Higginbotham, Little and St. John. —3

The Bill:

S. 487. Relating to any Class 1 or Class 2 municipality, as defined by Section 11-40-12 of the Code of Alabama 1975, as amended; authorizing any such municipality to create a municipal dormitory building and renovation authority; authorizing the Authority to acquire, construct and equip self-liquidating projects consisting of buildings for dormitories and renovation of existing buildings for dormitories for any public institution of higher education; conferring powers and imposing duties on the Authority; providing for the appointment of members of the Authority; authorizing the issuance of revenue bonds of the Authority payable from the revenues, rents, repayment proceeds or purchase payments or other funds received by the Authority; authorizing the execution of trust and security instruments relating to the Authority's property to secure the payment of such revenue bonds; providing that no debt of the State or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this Act and no State or local public funds shall be appropriated for the use of the Authority created by this Act; making such revenue bonds issued under the provisions of this Act, their transfer and the income therefrom, shall at all times be free from taxation of every kind by the State and by political subdivision of the State; and fixing the venue for jurisdiction of actions relating to any provisions of this Act.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, S. B. 487, to-wit:

COMMITTEE AMENDMENT TO S. B. 487

Amend Senate Bill 487, page 12, line 5, by striking out all language after the word "authority" and further amend said bill on page 12, line 6 by striking the words "obligation of the authority"

Which was adopted.

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Yeas 16; Nays 0.

Yeas:

Messrs.:	Hilliard	Mitchem	St. John
Bailey	Holmes	Pearson	Smith
Britnell	Kirkland	Proctor	Vacca
Goodwin	Martin	Robertson	White
Harrison			

—16

Nays: —0

And said Bill, S. B. 487, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 1.

Yeas:

Messrs.:	Goodwin	McDonald	Robertson
Bailey	Hilliard	Miller	Smith
Britnell	Holmes	Mitchem	Teague (B)
deGraffenried	Keener	Parsons	Vacca
Denton	Kirkland	Proctor	White
Figures	Martin		

—21

Nay: Mr. Little. —1

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. White, consideration of the Bill, S. B. 247, was indefinitely postponed, for the reason that a bill levying a tax must originate in the House of Representatives.

BILLS ON THIRD READING RESUMED

The Bill:

S. 196. To provide for a state income tax refund check-off designation for the support of nongame wildlife programs in Alabama.
was taken up.

On motion of Mr. deGraffenried, further consideration of the Bill, S. B. 196, was postponed temporarily.

The Bill:

S. 471. To provide that the retirement income of military personnel shall be exempt from state, county and municipal income taxes the same as the exemptions provided for by sub-sections (a) (1) (2) (3) of Section 40-18-19 Code of Alabama 1975.

was taken up.

On motion of Mr. Miller, further consideration of the Bill, S. B. 471, was postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Manley:

H. J. R. 331. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when we adjourn today, Thursday, April 8, 1982, we adjourn to meet again on Tuesday, April 13, 1982.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald, the Rules were suspended and the Resolution, H. J. R. 331, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 235. URGING THE DEPARTMENT OF PUBLIC SAFETY TO MORE STRICTLY ENFORCE THE LAWS RELATING TO THE SECURING OF TRUCK LOADS.

WHEREAS, the Legislature of Alabama hereby urges and implores the Department of Public Safety to more rigidly enforce all the laws relating to the securing of truck loads; and

WHEREAS, specifically, Section 32-5-75 of the Code of Alabama 1975, requires persons hauling logs and lumber to fasten loads with "steel cables or chains of sufficient size to prevent the load from shifting or dropping onto the highway"; and

WHEREAS, the Department of Public Safety has an affirmative duty to enforce all the laws relating to motor vehicle carriers and the Rules of the Road; and

WHEREAS, as a result of the non-enforcement of the aforementioned law, Mr. Robert Bryant Strong of Auburn tragically lost his life; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge and demand that the Department of Public Safety more strictly enforce the laws relating to trucks and the manner in which their loads are secured.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Director of the Department of Public Safety, Colonel Jerry Shoemaker, that he may know of our true feelings.

On motion of Mr. Little, further consideration of the Resolution, S. J. R. 235, was postponed temporarily.

BILLS ON THIRD READING SUMED

The Bill:

S. 236. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 236, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 236

A BILL
TO BE ENTITLED
AN ACT

To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17-4-153 of the Code of Alabama 1975 is hereby amended to read as follows:

"§17-4-153. (a) Each registrar shall receive \$20.00 an expense allowance in the amount of \$35.00 per day for each day's attendance upon business of the board, to be paid by the state and disbursed on order of a quorum of the board of registrars of the county. If a legal holiday falls on a day the board is to be in session, and the courthouse of the county is closed for the holiday, the board of registrars shall be compensated for such holidays. Each registrar shall receive \$.15 \$.20 per mile for official travel in the course of registration in the county, to be paid in the same manner and from the same source as his salary expense allowance herein provided.

"(b) The provisions of this section regarding travel mileage shall not apply in any county having a population of not less than 600,000 inhabitants according to the 1970 or any succeeding federal decennial census, and any currently effective local law or general law of local application regarding travel mileage for registrars in such county shall remain in full force and effect and shall not be repealed by operation of this chapter."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; provided, however, that it shall not become operative until the beginning of the next term of office of the members of the boards of registrars of this state.

Which as adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Taylor
Bailey	Higginbotham	Martin	Teague (B)
Britnell	Holmes	Mitchem	Teague (J)
deGraffenried	Keener	Proctor	Weeks
Denton	Lemaster	Smith	White
Goodwin			—20
Nays:			—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Owens:

H. 480. To provide a sixteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

Also:

By Reps. Seibels, Cosby, Payne, Bowling, McMillan, Gilmer, Horn, Riddick and Patton:

H. 538. To amend Section 15-18-72, Code of Alabama 1975, as amended, relating to defendants ordered by the court to make restitution, so as to require payments be transmitted within a specified time.

Also:

By Reps. Ward and Turnham:

H. 813. To amend Section 22-19-60 of the Code of Alabama 1975, relating to anatomical gifts by holders of drivers' licenses or nondriver identification cards, so as to require that the specific gifts be indicated on the driver's license or nondriver identification card of the donor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 480. To the Committee on Finance and Taxation.

H. B. 538. To the Committee on Judiciary.

H. B. 813. To the Committee on Health and Welfare.

FURTHER CONSIDERATION OF S. B. 236

The Senate proceeded to further consideration of the Bill, S. B. 236, as amended by the substitute.

And said Bill, S. B. 236, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Smith	
Bailey	Higginbotham	Miller	Taylor	
deGraffenried	Holmes	Mitchem	Teague (J)	
Denton	Keener	Pearson	Weeks	
Goodwin	Lemaster	Proctor	White	
Gulledge	Little	Robertson		—22

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

S. 418. To regulate the practice of Interior Design; to provide for the registration of qualified persons as professional Interior Designers; to create the Alabama State Board of Registration for Interior Designers; to provide for the appointment of its members; to fix the term of the members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish the Interior Designer Fund; and to provide for the enforcement of this Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 6.

Yeas:

Messrs.	Goodwin	Lemaster	Teague (B)	
Bailey	Hall	Little	Teague (J)	
Cook	Harrison	Martin	Vacca	
deGraffenried	Keener	McDonald	White	
Denton	Kirkland	Miller		—18

Nays:

Messrs.:	Hilliard	Little	Weeks	
Higginbotham	Holmes	Taylor		—6

RESOLUTION

Mr. McDonald offered the following Senate Resolution, to-wit:

S. R. 236. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO SENATE BILL 4 AND HOUSE BILL 161 AS AMENDED OF THE 1982 REGULAR SESSION.

WHEREAS, We respectively request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body, pursuant to § 12-2-10, Code of Alabama 1975, their written opinions on the following important constitutional question which has arisen concerning the pending bills, S. B. 4 and H. B. 161, as amended, copies of which are attached to this resolution and made a part thereof by reference.

Senate Bill 4 and House Bill 161 received the approval of both houses of the Legislature and were signed by the presiding officers of both houses on Thursday, April 8, 1982. At 3:00 o'clock P.M. (within normal business hours of the State) on Thursday, April 8, 1982, a date which is not a normal State holiday and has not been proclaimed as such by the Governor, said bills were physically taken to the office of the Governor, which was closed and locked. The said delivery was documented by the print and broadcast media. The journals of the Senate and House, respectively, reflect that delivery of Senate Bill 4 and House Bill 161 was performed on Thursday, April 8, 1982, and that all entrances to the Governor's office were closed and locked.

Be It Resolved by the Senate of Alabama:

Have Senate Bill 4 and House Bill 161 been delivered to the Governor in accordance with the requirements of Section 125 of the Constitution, thereby starting the period of time during which the Governor has the right to consider the bill without its becoming a law independently of his signature?

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 380. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

was taken up.

On motion of Mr. Taylor, further consideration of the Bill, S. B. 380, was postponed temporarily.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 236. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO SENATE BILL 4 AND HOUSE BILL 161 AS AMENDED OF THE 1982 REGULAR SESSION.

On motion of Mr. McDonald, said Resolution was then adopted by the Senate.

FURTHER CONSIDERATION OF S. J. R. 235

The Senate proceeded to further consideration of the Resolution, S. J. R. 235.

Mr. Little offered the following substitute for the Resolution, S. J. R. 235, to-wit:

SUBSTITUTE FOR S. J. R. 235

S. J. R. 235. URGING THE DEPARTMENT OF PUBLIC SAFETY TO MORE STRICTLY ENFORCE THE LAWS RELATING TO THE SECURING OF TRUCK LOADS.

WHEREAS, the Legislature of Alabama hereby urges and implores the Department of Public Safety to more rigidly enforce all the laws relating to the securing of truck loads; and

WHEREAS, specifically, Section 32-5-75 of the Code of Alabama 1975, requires persons hauling logs and lumber to fasten loads with "steel cables or chains of sufficient size to prevent the load from shifting or dropping onto the highway"; and

WHEREAS, the Department of Public Safety has an affirmative duty to enforce all the laws relating to motor vehicle carriers and the Rules of the Road; and

WHEREAS, as a result of a load of logs falling upon his car, Mr. Robert Bryant Strong of Auburn tragically lost his life; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge and demand that the Department of Public Safety more strictly enforce the laws relating to trucks and the manner in which their loads are secured.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Director of the Department of Public Safety, Colonel Jerry Shoemaker, and to each sheriff in the state, so that they may know of our true feelings.

Which was adopted.

And on motion of Mr. Little, the Rules were suspended and the Resolution, S. J. R. 235, was thus amended by the substitute, was then adopted by the Senate.

SPECIAL ORDER

SPECIAL ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 315. To create the Office of Air Transportation (hereinafter referred to as the Office); to centralize the maintenance, management, storage, usage, fueling, and operations of state owned aircraft; to designate the Act as the "Office of Air Transportation Act of 1982"; to provide a statement of legislative intent; to provide definitions; to provide for a director of the Office; to provide for other personnel for the Office; to provide for the transfer of property and funds from various state agencies which presently maintain and operate state aircraft and to provide for certain exceptions from the provisions of this Act; to authorize the Office to establish a state program of state aircraft operations and to set reasonable charges for the use and maintenance of state aircraft by other state agencies and departments; to provide for duties, powers and functions of the Office; to legislate appropriate funds; to create a revolving fund in the state treasury for the operations of the Office and to authorize the director to make deposits and expenditures from time to time as are necessary for the Office's operations; and to require annual reporting by the director of the Office's operations to the Governor and to the Legislature.

Mr. deGraffenried offered the following amendment to the Bill, S. B. 315, to-wit:

AMENDMENT TO S. B. 315

Amend Senate Bill No. 315 Page 3 Line 35, by inserting after the word "Aeronautics" the following:

The State Oil and Gas Board

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Proctor
Bailey	Hall	Martin	Robertson
Britnell	Higginbotham	Miller	Teague (J)
Callahan	Holmes	Mitchem	Vacca
deGraffenried	Keener	Parsons	Weeks
Denton	Lemaster	Pearson	White
Goodwin			

—24

Nays:

—0

And said Bill, S. B. 315, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.	Goodwin	Martin	Proctor	
Bailey	Hall	McDonald	Robertson	
Britnell	Harrison	Miller	Taylor	
Callahan	Holmes	Mitchem	Teague (J)	
deGraffenried	Keener	Parsons	Weeks	
Denton	Lemaster	Pearson	White	
Figures	Little			—25

Nays: —0

The Bill:

S. 485. To make an additional appropriation for salaries and other expenses for the use of the Legislature.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Harrison	Miller	Taylor	
Callahan	Holmes	Mitchem	Teague (B)	
deGraffenried	Keener	Parsons	Teague (J)	
Figures	Kirkland	Pearson	Vacca	
Goodwin	Lemaster	Proctor	Weeks	
Gulledge	Little	Robertson	White	
Hall	Martin			—25

Nay: Mr. Bailey. —1

The Bill:

S. 477. To make a supplemental appropriation in the amount of six million five hundred thousand dollars (\$6,500,000) from the trust fund created by Act No. 81-1178, H. 72, 1981 Third Special Session, for the purpose of paying costs in connection with bonds to be issued by the Alabama Housing Finance Authority prior to January 1, 1983.

was taken up.

Mr. Mitchem offered the following substitute for the Bill, S. B. 477, to-wit:

SUBSTITUTE FOR S. B. 477

A BILL TO BE ENTITLED AN ACT

To make an appropriation for the fiscal year ending September 30, 1983 in the amount of Six million five hundred thousand dollars (\$6,500,000) from the monies initially transferred into The Alabama Heritage Trust Fund created by an amendment to the Constitution of Alabama of 1901, proposed by Act No. 81-1178, 1981 Third Special Session, for the purpose of payment by

the State of Alabama of expenses incurred prior to September 30, 1983 by the Alabama Housing Finance Authority in the exercise of the powers granted to it by law.

Be It Enacted by the Legislature of Alabama:

Section 1. Appropriation. In addition to any and all other funds heretofore appropriated, there is hereby appropriated for the fiscal year ending September 30, 1983 the sum of Six million five hundred thousand dollars (\$6,500,000) from the monies initially transfered into The Alabama Heritage Trust Fund created by an amendment to the Constitution of Alabama of 1901, which was proposed by Act No. 81-1178, 1981 Third Special Session, ratified by the qualified electors of the State as an amendment to the Constitution on March 2, 1982 and proclaimed ratified by the Governor on March 17, 1982 for the purpose of payment by the State of Alabama of expenses incurred prior to September 30, 1983 by the Alabama Housing Finance Authority in the exercise of the powers granted to it by law.

Section 2. Disbursement of Appropriated Monies. The monies so appropriated shall be held in The Alabama Heritage Trust Fund until disbursed for the purpose for which appropriated. The monies so held in The Alabama Heritage Trust Fund shall be disbursed only upon the delivery to the State Comptroller of requisitions signed by the Chairman or Vice Chairman of the Alabama Housing Finance Authority requesting such disbursement. Each such requisition must state the fees, charges and other expenses to be paid pursuant thereto, the persons, firms and corporations to whom such fees, charges and other expenses are owed and the amount payable to each of such persons, firms and corporations. Upon the receipt of a requisition containing such information and signed as aforesaid, the State Comptroller shall draw warrants in such amounts and payable to such persons, firms and corporations as shall be necessary to provide for the payment of all the fees, charges and other expenses described in such requisition.

Section 3. Severability. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	St. John
Bailey	Higginbotham	Miller	Smith
Britnell	Holmes	Mitchem	Taylor
Callahan	Keener	Parsons	Teague (B)
Denton	Kirkland	Pearson	Teague (J)
Goodwin	Lemaster	Proctor	Vacca
Gulledge	Little	Robertson	Weeks
Hall			

—28

Nays:

—0

And said Bill, S. B. 477, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Smith	
Bailey	Higginbotham	Miller	Taylor	
Britnell	Holmes	Mitchem	Teague (B)	
Callahan	Keener	Parsons	Teague (J)	
Denton	Kirkland	Proctor	Vacca	
Goodwin	Lemaster	Robertson	Weeks	
Gulledge	Little	St. John		—26

Nays:

—0

The Bill:

S. 195. To provide for fair dismissal procedures for non-teachers and non-certified employees in the public educational institutions and facilities in the state who are not otherwise covered by the state merit system, the Teacher Tenure Law, or other state statutes at the time this Act is adopted; to ensure procedural and substantive due process of law for dismissals for just cause before an impartial tribunal after the employee completed the probationary period of employment and thereafter gains permanent status; to provide for the appointment of a board of hearing examiners and their compensation; and to define the duties, authority and jurisdiction of a hearing examiner when he or she hears disputes in contract cancellations; and to provide for judicial review of the decisions of the hearing examiner.

was taken up.

The Standing Committee on Education reported the following substitute for the Bill, S. B. 195, to-wit:

COMMITTEE SUBSTITUTE TO S. B. 195

A BILL
TO BE ENTITLED
AN ACT

To provide for fair dismissal procedures for non-teachers and non-certified or classified employees in the public school systems, two-year institutions under control of the State Board of Education, the Department of Youth Services and the Alabama Institute for Deaf and Blind, who are not otherwise covered by the state merit system, the Teacher Tenure Law, or other state statutes at the time this Act is adopted; to provide procedural and substantive due process of law for dismissal for just cause before the employing board after the employee completes the probationary period of employment and thereafter gains permanent status; and to provide for judicial review of the decisions of the employing board.

Be It Enacted by the Legislature of Alabama:

Section 1. The term "employees," as used in this Act, is deemed to mean and include all persons employed by county and city boards of education, two-year educational institutions under the control and auspices of the State Board of Education, the Alabama Institute for Deaf and Blind, educational and correctional institutions under the control and auspices of the Alabama Department of Youth Services, who are so employed as bus drivers, lunchroom or cafeteria workers and supervisors, maids and janitors, custodians, maintenance personnel, secretaries and clerical assistants, and all

other persons not otherwise certified by the State Board of Education. Only full-time employees are intended to be covered by this Act. Full-time employees are those whose duties require full-time of the employee for each working day and thirty (30) hours or more in each working week, including adult bus drivers, employing board holidays excepted. Substitute teachers and substitute employees are excluded from the Act.

Section 2.

(a) All employees as defined in Section 1 of this Act shall be deemed employed on a probationary status for a period not to exceed one (1) year from the date of his or her employment, or a lesser period which may be fixed by the employing authority.

(b) During said probationary period, the employing authority shall cause the employee's performance to be evaluated.

(c) At any time during the employee's probationary period, the employing authority may remove an employee by furnishing said employee written notification at least fifteen (15) days prior to the effective day of termination.

Section 3. Upon the completing by the employee of said probationary period, said employee shall be deemed employed on a permanent status and said employee's contract shall thereafter not be cancelled except for failure to perform his or her duties in a satisfactory manner, incompetency, neglect of duty, willful insubordination, immorality, decrease in jobs in the system, or other good and just causes; but provided such cancellation shall not be made for political or personal reasons on the part of any party recommending or appealing said cancellation.

Section 4. Cancellation.

An employment contract with an employee on permanent status must be cancelled only in the following manner:

The employing board of education shall give notice in writing to the employee, stating in detail the reasons for the proposed cancellation and the facts upon which such reasons are based, and naming the place at which the employee may appear before the employing board to answer said notice. Notice to the employee shall be served either by personal service or by United States registered or certified mail with postage prepaid thereon, to said employee's last known address. The employing board may suspend said employee with pay until the charges are heard and determined and when suspended without pay the said board shall so notify the employee in the notice of hearing to the employee herein provided. Such notice shall also inform the employee that in order to contest said cancellation, the employee must file with the employing board, within fifteen (15) days after receipt of such notice, notice of an intention to contest the cancellation of said contract. Upon the receipt of notice from the employee to contest, the employing board shall schedule a hearing to be held not sooner than thirty (30) nor more than forty (40) days. The employing board shall notify the employee of the exact time and place of the hearing, which shall be held in the city or county of employment of said employee. If the employee does not file an intention to contest with the employing board within fifteen (15) days after receipt of such notice of intention to cancel said contract, then the employing board may dismiss the employee by a majority vote and such dismissal shall be final. At a contested hearing, which shall be public or private at the discretion of the employee, each party shall have a right to appear with or without counsel and shall have a right to be heard and to present the testimony of witnesses and

other evidence bearing upon the reasons for the proposed cancellation of such contract, and shall have a right to cross-examine the adverse witnesses. The employing board shall have power to administer oaths, take depositions and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with the dispute or claim. If requested, the employing board shall issue subpoenas for witnesses to testify either in support of the charges or on behalf of the employee, and such witnesses shall be entitled to receive the same mileage and per diem as witnesses called in civil cases in the circuit court of the county where the hearing is held, the same to be paid by the party requesting the subpoenas. In case a person refuses to obey such subpoena, the county board or employee may invoke the aid of the circuit court in order that the testimony or evidence be produced; and, upon proper showing, such court shall issue a subpoena or order requiring such person to appear before the employing board and produce evidence and give testimony relating to the matter at issue; a person failing to obey the court's subpoena or order shall be punishable by the court as for contempt. It shall be the duty of the said employing board to record the proceedings of such hearing. After each party has presented its case at said hearing, the employing board may determine the question of the cancellation of the contract, or may defer action regarding the decision for a period not to exceed five (5) days. In each instance where the employing board upholds the cancellation of an employee's contract, it shall make specific findings of fact. The action of the employing board, taken immediately following the hearing or with five (5) days thereafter, shall be evidenced by the minute proceedings of the employing board and shall be only after full compliance with this section. Nothing herein provided is intended to prevent the suspension of an employee, who if allowed to remain employed will endanger the lives of students and property of the school, pending a hearing on such proposed cancellation and the final determination thereof.

Section 5. Finality of Decision of the Employing Board; Review.

(a) The decision of the employing board shall be final in its action on cancellation of an employee's contract; provided, that such action was in compliance with the provisions of this chapter, was not arbitrarily unjust, and the evidence supported the decision. Whether such action complies with the provisions of this chapter and whether such action is arbitrarily unjust may be reviewed by appeal filed in the Alabama Court of Civil Appeals, and subsequent appeal to the Alabama Supreme Court.

(b) The employee shall have the right to appeal to the Alabama Court of Civil Appeals to obtain a review by the court as to whether such action was in compliance with this chapter and whether such action was arbitrarily unjust and was not for political or personal reasons. Such appeal may be taken by filing within forty-two (42) days after the decision of the employing board a written notice of appeal with the court. If such appeal is not taken within forty-two (42) days after the decision of the employing board, the decision of the employing board shall be final. Upon notice of appeal, the employing board shall cause to be made three (3) copies of the record of the proceedings, one to provide a copy for the court and one for use by the employee and one for the employing board for preparation of the briefs on the appeal. The record shall consist of all notices given to the employee, all papers filed with the board by the employee in compliance with the provisions of this chapter, transcript of testimony and other evidence and the findings and conclusions of the employing board. A copy of the record shall be delivered to the court and to the employee within twenty (20) days from the date of filing of the notice of appeal.

Section 6. If any section, clause, provision or portion of this Act shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself invalid or unconstitutional.

Section 7. All laws or parts of laws inconsistent or in conflict with the provisions of this Act are hereby expressly repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

The Standing Committee on Education then reported the following amendment to the substitute, for the Bill, S. B. 195, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE FOR S. B. 195

Amend Substitute to S. B. 195 on Page 2, Line 14 by striking out the words one (1) year and insert in lieu thereof the following: "thirty-six (36) calendar months"

And further amend on Page 2 under Section 2 by adding a new subsection (d) to read as follows:

(d) Pursuant to section 2 (c) above, upon receipt of notification, an employee may, within 4 working days following receipt, request in writing to the employing authority a hearing. Said hearing will be granted within 4 working days whereby the employing authority states in writing to the employee, the time and place of the hearing. The employee may, at his election and expense, if any, have a spokesperson to assist him at his hearing.

On motion of Mr. McDonald, said amendment was laid on the table.

And said substitute was then adopted by the Senate.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Figures	Kirkland	Proctor
Bailey	Hall	Lemaster	Smith
Britnell	Harrison	Martin	Taylor
Callahan	Hilliard	Miller	Teague (B)
deGraffenried	Holmes	Mitchem	Teague (J)
Denton	Keener	Pearson	—23

Nays: Messrs.: Higginbotham and White. —2

Mr. Keener offered the following amendment to the Bill, S. B. 195, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. 195 by deleting Section 1, on Page 1 and inserting a new Section 1, on Page 1, as follows:

Section 1. The term "employees," as used in this Act, is deemed to mean and include all persons employed by county and city boards of education, two-year educational institutions under the control and auspices of the State Board of Education, The Alabama Institute for Deaf and Blind, educational

and correctional institutions under the control and auspices of the Alabama Department of Youth Services, colleges and universities having separate governing boards, and all other public educational institutions created by the Legislature, who are so employed as bus drivers, lunchroom or cafeteria workers and supervisors, maids and janitors, custodians, maintenance personnel, secretaries and clerical assistants. Only full-time employees are intended to be covered by this Act. Full-time employees are those whose duties require full-time of the employee for each working day and thirty (30) hours or more in each working week, including adult bus drivers, employing board holidays excepted. Substitute teachers and substitute employees are excluded from this Act.

On motion of Mr. White, said amendment was laid on the table.

Yeas 21; Nays 6.

Yeas:

Messrs.:	Hilliard	Miller	Taylor	
Bailey	Holmes	Parsons	Teague (B)	
deGraffenried	Kirkland	Robertson	Teague (J)	
Figures	Little	St. John	Weeks	
Goodwin	Martin	Smith	White	
Hall	McDonald			—21

Nays:

Messrs.:	Denton	Higginbotham	Lemaster	
Britnell	Harrison	Keener		—6

Mr. McDonald offered the following amendment to the Bill, S. B. 195, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. B. 195, page 2, line 14 by striking out the words 1 year and insert in lieu thereof the following;

"36 Calendar months"

Which was adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Harrison	McDonald	Smith	
Bailey	Holmes	Miller	Taylor	
Britnell	Keener	Mitchem	Teague (B)	
Denton	Kirkland	Parsons	Teague (J)	
Goodwin	Lemaster	Proctor	Vacca	
Gulledge	Little	St. John	White	
Hall	Martin			—25

Nays: Messrs.: Robertson and Weeks.

—2

Mr. White offered the following amendment to the Bill, S. B. 195, as amended, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. 195 by deleting Section 4, beginning on Page 2 and ending on Page 4 and inserting a new Section 4, beginning on Page 2 and ending on Page 4, as follows:

Section 4. Cancellation. The employing board of education shall give notice in writing to the employee, stating in detail the reasons for the proposed cancellation and the facts upon which such reasons are based, and naming the place at which the employee may appear before the employing board to answer said notice. The employee shall have five (5) calendar days from the date the notice of intent to dismiss was sent by the employing board to file a written notice to appear with the employing board. If the employee does not file said notice to appear with the board within five (5) calendar days, then the employing board may dismiss the employee by a majority vote and such dismissal shall be final. The employing board may suspend said employee with or without pay until the charges are heard and determined. When suspended without pay the said board shall so notify the employee in the notice of hearing to the employee.

On motion of Mr. Kirkland, said amendment was laid on the table.

Mr. White then offered the following amendment to the Bill, S. B. 195, as amended, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. 195 be deleting Section 3, on Page 2 and inserting a new Section 3, on Page 2, as follows:

Section 3. Upon completion of said probationary period by the employee, said employee shall be deemed employed on a permanent status and said employment shall thereafter not be cancelled except for failure, in the judgement of the employing board of education, to perform his or her duties in a satisfactory manner, incompetency neglect of duty, willful insubordination, immorality, decrease in jobs in the system, or other good and just causes.

On motion of Mr. Kirkland, said amendment was laid on the table.

Yeas 13; Nays 10.

Yeas:

Messrs.:	Holmes	Pearson	Teague (B)
Bailey	Keener	Robertson	Teague (J)
Figures	Kirkland	Taylor	Weeks
Harrison	Martin		

—13

Nays:

Messrs.:	Higginbotham	Proctor	Vacca
deGraffenried	Little	St. John	White
Denton	Miller	Smith	

—10

Mr. White then offered the following amendment to the Bill, S. B. 195, as amended, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. 195 be deleting Section 1, on Page 1 and by inserting a new Section 1, on Page 1, as follows:

Section 1. The Term "employees," as used in this Act, is deemed to mean and include all persons employed by two-year educational institutions under the control and auspices of the State Board of Education, the Alabama Institute for Deaf and Blind, educational and correctional institutions under the control and auspices of the Alabama Department of Youth Services, who are so employed as bus drivers, lunchroom or cafeteria workers, maids and janitors, custodians, maintenance personnel, secretaries and clerical assistants. Only full-time employees are intended to be covered by this Act. Full-time employees are those whose duties require full-time of the employee for each working day and forty (40) hours or more in each working week, including adult bus drivers; employing board holidays excepted. Substitute teachers and substitute employees are excluded from this Act.

On motion of Mr. Kirkland, said amendment was laid on the table.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Harrison	McDonald	Smith	
Bailey	Hilliard	Miller	Taylor	
Britnell	Holmes	Parsons	Teague (B)	
Denton	Keener	Pearson	Teague (J)	
Figures	Kirkland	Proctor	Vacca	
Gulledge	Lemaster	Robertson	Weeks	
Hall	Martin	St. John		—26

Nays:

Messrs.:	Goodwin	Little	White	
deGraffenried	Higginbotham			—5

Mr. White then offered the following amendment to the Bill, S. B. 195, as amended, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. 195 by deleting Section 5, beginning on Page 4 and ending on Page 5 and inserting a New Section 5, beginning on Page 4 and ending on Page 5, as follows:

Section 5. Finality of Decision of the Employing Board; Review.

(a) The decision of the employing board shall be final in its action on cancellation of an employee; provided, that such action was in compliance with the provisions of this chapter.

(b) The employee shall have the right to appeal to the Alabama Court of Civil Appeals to obtain a review by the court as to whether such action was in compliance with this chapter. Such appeal must be taken by filing with the Court within fifteen (15) days after the decision of the employing board a written notice of appeal. If such appeal is not taken within fifteen (15) days after decision of the employing board, the decision of the employing board shall be final.

On motion of Mr. Kirkland, said amendment was laid on the table.

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Yeas 15; Nays 11.

Yeas:

Messrs.:	Hilliard	Martin	Robertson
Bailey	Holmes	Miller	Teague (B)
Figures	Keener	Parsons	Teague (J)
Harrison	Kirkland	Proctor	Weeks

—15

Nays:

Messrs.:	Denton	Higginbotham	Smith
Britnell	Goodwin	Little	Taylor
deGraffenried	Hall	St. John	White

—11

Mr. Little offered the following amendment to the Bill, S. B. 195, as amended, to-wit:

AMENDMENT TO S. B. 195, AS AMENDED

Amend S. B. 195 by deleting Section 2, subsection (a), on Page 2 and inserting a new Section 2, subsection (a), on Page 2 as follows:

Section 2. (a) All employees as defined in Section 1 of this Act shall be deemed employed on a probationary status for a period of thirty-six (36) months from the date of his or her employment following the effective date of this Act.

Mr. Kirkland moved that said amendment be laid on the table, which motion was lost.

Yeas 13; Nays 15.

Yeas:

Messrs.:	Hilliard	Proctor	Teague (B)
Bailey	Holmes	Robertson	Vacca
Figures	Keener	Taylor	Weeks
Harrison	Kirkland		

—13

Nays:

Messrs.:	Goodwin	Martin	St. John
Britnell	Hall	McDonald	Smith
deGraffenried	Higginbotham	Miller	Teague (J)
Denton	Little	Parsons	White

—15

And said amendment was then adopted by the Senate.

Yeas 18; Nays 12.

Yeas:

Messrs.:	Goodwin	McDonald	Smith
Bailey	Hall	Miller	Teague (J)
Britnell	Higginbotham	Mitchem	Vacca
deGraffenried	Little	Proctor	White
Denton	Martin	St. John	

—18

Nays:

Messrs.:	Holmes	Lemaster	Robertson	
Figures	Keener	Parsons	Taylor	
Harrison	Kirkland	Pearson	Teague (B)	
Hilliard				—12

And said Bill, S. B. 195, as amended by substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 7.

Yeas:

Messrs.:	Hilliard	McDonald	St. John	
Bailey	Holmes	Miller	Taylor	
Britnell	Keener	Mitchem	Teague (B)	
Denton	Kirkland	Parsons	Teague (J)	
Figues	Lemaster	Pearson	Vacca	
Gulledge	Little	Proctor	Weeks	
Harrison	Martin	Robertson		—26

Nays:

Messrs.:	deGraffenried	Hall	Smith	
Callahan	Goodwin	Higginbotham	White	
				—7

POINT OF PERSONAL PRIVILEGE

Mr. Higginbotham stated that when the Bill, H. B. 161, as amended, was passed on the Twenty-fifth Legislative Day, he voted "Aye", although the official vote tally omitted his vote in error.

RESOLUTIONS

Mr. Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 237. CALLING UPON THE CHIEF JUSTICE OF THE STATE OF ALABAMA TO CALL AN EMERGENCY SESSION OF THE SUPREME COURT TO DEAL WITH THE UNPRECEDENTED CONSTITUTIONAL CRISIS OCCASIONED BY THE COMPLETE CLOSING OF THE OFFICE OF GOVERNOR BY THE HONORABLE FOB JAMES, WHO NOW SERVES AS GOVERNOR.

WHEREAS, the Honorable Fob James, who now serves as Governor of Alabama, has completely closed down the office and functions as Governor on this the 26th legislative day of the 1982 Regular Session; and

WHEREAS, the Legislature of Alabama is unable to carry out its constitutional functions and duties because of the wilful neglect of duty on the part of Governor James; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do respectfully request that the Honorable Chief Justice of the State of Alabama call an emergency session of the Supreme Court to consider the unprecedented government crisis brought about by the closing of the constitutional office of Governor by the Honorable Fob James, now serving as Governor.

BE IT FURTHER RESOLVED, That the Legislature calls upon the Supreme Court to determine whether the action of Governor James in completely closing down the office of Governor as mentioned above constitutes a vacation of his office, and if the court finds that the office of Governor has been vacated by action of the Honorable Fob James, at what time does the Lieutenant Governor ascend to the office of Governor.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is hereby directed to send sufficient copies of this resolution immediately upon its adoption to the Clerk of the Supreme Court and to the Chief Justice of the Supreme Court.

Which was read and referred to the Standing Committee on Rules.

Messrs. Parsons and Smith offered the following Senate Joint Resolution, to-wit:

S. J. R. 238. URGING THE LAW ENFORCEMENT AGENCIES OF ALABAMA TO MORE STRICTLY ENFORCE THE LAWS RELATING TO THE SECURING OF TRUCK LOADS.

WHEREAS, the Legislature of Alabama hereby urges and implores the Department of Public Safety to more rigidly enforce all the laws relating to the securing of truck loads; and

WHEREAS, specifically, Section 32-5-76(b) of the Code of Alabama 1975, requires "No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom"; and

WHEREAS, the law enforcement agencies of this state have an affirmative duty to enforce all the laws relating to motor vehicle carriers and the Rules of the Road; and

WHEREAS, as a result of the non-enforcement of the aforementioned law, there is a great loss to the people of Alabama from the breakage of windshields and other property damage.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge and demand that the law enforcement agencies of Alabama enforce the laws relating to trucks and the manner in which their loads are secured.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to all law enforcement agency in the State of Alabama, that they may know of our true feelings.

On motion of Mr. Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 300. To authorize the Alabama Supreme Court to hire six staff attorneys and to pay the necessary salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Gulledge	Martin	Robertson
Britnell	Hall	McDonald	St. John
Callahan	Harrison	Miller	Smith
deGraffenried	Higginbotham	Mitchem	Teague (B)
Denton	Keener	Parsons	Teague (J)
Figures	Kirkland	Pearson	Vacca
Goodwin	Little	Proctor	Weeks

—27

Nays: Messrs.: Bailey, Holmes and Lemaster.

—3

The Bill:

S. 416. To provide further for the annual salary of the governor, the secretary of state, and the state auditor; and to provide for such sums to commence with the next term of office.

was taken up.

Mr. Harrison offered the following substitute for the Bill, S. B. 416, to-wit:

SUBSTITUTE FOR S. B. 416

A BILL TO BE ENTITLED AN ACT

To provide further for the annual salary of the governor, the secretary of state, the commissioner of agriculture and industries and the state auditor; and to provide for such sums to commence with the next term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. The constitutional officers named herein shall have an annual salary as follows:

Governor—sixty thousand dollars (\$60,000); Secretary of State—forty-five thousand dollars (\$45,000); Commissioner of Agriculture and Industries—forty-five thousand dollars (\$45,000); State Auditor—forty-five thousand dollars (\$45,000). The salaries prescribed herein shall commence with the next term of office for each respective officer.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Robertson
Bailey	Hall	Miller	Smith
Britnell	Harrison	Mitchem	Taylor
Callahan	Holmes	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Vacca
Denton	Little	Proctor	White
Goodwin			—24

Nays: —0

And said Bill, S. B. 416, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 1.

Yeas:

Messrs.:	Goodwin	Kirkland	Proctor
Bailey	Gulledge	Little	Robertson
Britnell	Hall	Martin	Smith
Callahan	Harrison	Miller	Teague (J)
deGraffenried	Higginbotham	Mitchem	Vacca
Denton	Holmes	Pearson	White
			—23

Nay: Mr. Taylor. —1

The Bill:

S. 293. To provide a fourteen percent increase for certain personnel in public education for the fiscal year ending September 30, 1983.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 293, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 293

A BILL
TO BE ENTITLED
AN ACT

To provide a 16% increase in the state compensation payable to certain personnel in public education for the fiscal year ending September 30, 1983.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative intent. It is the intent of the legislature to provide a 16% salary increase in the salary paid to the education personnel and on the basis enumerated in Section 2 and 3 of this act. By this act the legislature directs that the aforesaid 16% increase for fiscal year 1982-83 be paid from funds incorporated in and appropriated by the education appropriations act for the support and maintenance of public education in Alabama for the fiscal year ending September 30, 1983. It is not the intent of this act to appropriate additional monies for this purpose.

Section 2. The state budget officer shall allocate to the state board of education for disbursement to the local school systems the funds necessary to grant at 16% increase in the amount of salary paid to the below named education personnel; allocation shall be based on the following:

(a) State base salary allotment payable during the 1981-82 fiscal year for teacher units funded from the Alabama Special Educational Trust Fund for all elementary-secondary programs (including vocational) and certified academic and vocational instructors in the Department of Youth Services.

(b) Salaries payable during 1981-82 fiscal year to full-time lunchroom workers, bus drivers and all other support personnel in the elementary-secondary systems.

All full-time support personnel shall be authorized a full 16% salary increase.

Section 3. (a) It is the intent of the legislature that the State Board of Education grant a salary increase to full-time personnel employed at the junior, community, and technical colleges. Provided, however, that the total cost of said salary increase shall not exceed the increase in state appropriations for the 1982-83 fiscal year over and above the state appropriations for the 1981-82 fiscal year for either the junior, community, or technical colleges. It is also provided that the percentage increase shall be the same for all employees at the junior, community, and technical colleges.

(b) It is the intent of the legislature that the total increase in the state appropriations for the 1982-83 fiscal year over and above the state appropriations for the 1981-82 fiscal year to the Alabama Institute for the Deaf and Blind be used to grant a 16% salary increase to full-time personnel employed at such institution.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective October 1, 1982.

Mr. Denton offered the following substitute for the Committee substitute for the Bill, S. B. 293, to-wit:

SUBSTITUTE FOR COMMITTEE S. B. 293

A BILL TO BE ENTITLED AN ACT

To provide a sixteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative intent. It is the intent of the legislature to provide a sixteen percent salary or other cost-of-living increase in the salary paid to the education personnel and on the basis enumerated in Section 2 of this Act. By this Act the legislature directs that the aforesaid sixteen percent or

other cost-of-living increase for fiscal year 1982-83 be paid from the fund from which the institution or system receives its appropriation for the fiscal year ending September 30, 1983. It is not the intent of this Act to appropriate additional monies for this purpose.

Section 2. The state budget officer shall allocate to the State Board of Education, the Board of Trustees of the Alabama Institute for Deaf and Blind, and the Board of Directors of the Department of Youth Services for disbursement to the appropriate educational systems and institutions the funds necessary to grant a sixteen percent or other cost-of-living increase based on the following:

(a) Sixteen percent of the state salary allocation payable during the 1981-82 fiscal year to teacher units funded by the Alabama Special Educational Trust Fund for all elementary/secondary programs (including vocational education).

(b) Sixteen percent of the salaries paid in 1981-82 to teachers employed at Alabama Institute for Deaf and Blind and Department of Youth Services.

(c) Sixteen percent of the salary payable during the 1981-82 fiscal year to all bus drivers, and all other support personnel in the elementary/secondary systems, Alabama Institute for Deaf and Blind and Department of Youth Services.

(d) It is the intent of the legislature that the State Board of Education grant a salary increase to full-time personnel employed at the junior, community, and technical colleges. Provided, however, that the total cost of said salary increase shall not exceed the increase in state appropriations for the 1982-83 fiscal year over and above the state appropriations for the 1981-82 fiscal year for either the junior, community, or technical colleges. It is also provided that the percentage increase shall be the same for all employees at the junior, community, and technical colleges.

Section 3. The salary and cost-of-living increases provided in this Act shall be exclusive of all local increments due.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

And said Committee substitute for the Bill, S. B. 293, as thus amended by the Denton substitute, was then adopted by the Senate.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Hall	Little	St. John
Bailey	Harrison	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
Denton	Keener	Pearson	Teague (J)
Goodwin	Kirkland	Proctor	Vacca
Gulledge	Lemaster	Robertson	

Nays:

—0

And said Bill, S. B. 293, as amended by the Committee substitute, as amended by the Denton substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
deGraffenried	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Vacca
Goodwin	Lemaster	Proctor	Weeks
Gulledge	Little	Robertson	—30

Nays:

—0

The Bill:

S. 108. To provide salary increases for certain state employees and to appropriate funds therefor.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 108, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 108

A BILL
TO BE ENTITLED
AN ACT

To provide salary increases for certain state employees and to appropriate funds therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning October 1, 1982, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and all hourly employees of the state, except those set out in Section 3 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 3 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 14% salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. All such increases shall be in addition to the salary received by such employees. It is the intention of this legislature that the Governor be, and he is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices and institutions under his direct control for the purpose of paying the salary increase for state employees and officials.

Section 2. Any law to the contrary notwithstanding, in addition to any increase in compensation granted in Section 1, any state employee granted a step increase after October 1, 1980, under the provisions of Act 80-616, Regular Session 1980, which step increase was in an amount less than a normal step under the state pay plan shall be brought up to the normal step in the state plan. It is the intent of this section to provide a unified pay plan for all state employees.

Section 3. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract, nor shall this Act apply to state judges whose salaries are payable from the State Treasury if such judges' salaries are increased under and by virtue of: (1) the recommendations contained in the Report of the Judicial Compensation Commission to the 1982 Regular Session of the Legislature becoming law; or (2) the enactment into law of legislation altering and amending said Report; or (3) any other legislation enacted into law during the 1982 Regular Session of the Legislature.

Section 4. The State Personnel Director shall revise the schedule of rates for all employees and officials hereby affected regardless of whether subject to the state merit system, to reflect any increase provided by this Act. The State Personnel Board shall certify to the State Comptroller the new rates of pay regardless of whether subject to the merit system, that such classification, employee or official is entitled to receive, and the Comptroller shall issue warrants in accordance therewith. With respect to court officials and employees within the Unified Judicial System who serve the trial courts of the state and the Administrative Office of Courts, the Administrative Director of Courts shall revise the salaries and the schedule of rates set forth in the pay plan for such court officials and employees to reflect any increase herein provided, and shall certify the same to the State Comptroller who shall issue warrants in accordance therewith.

Section 5. Such amounts as may be necessary to pay state employees the increased salaries provided herein are hereby appropriated for the fiscal year beginning October 1, 1982, from such funds as the salaries of the several state employees are paid, or, if there is not sufficient money in such funds, then from the general fund of the State treasury or any revenue sharing funds, such additional sums as may be necessary to pay the salary increases herein provided for such state employees and officials as are subject to the provisions of this Act.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Robertson, said substitute was laid on the table.

Mr. Robertson offered the following substitute for the Bill, S. B. 108, to-wit:

SUBSTITUTE FOR S. B. 108

A BILL
TO BE ENTITLED
AN ACT

To provide salary increases for certain state employees and to appropriate funds therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning October 1, 1982, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and all hourly employees of the state, except those set out in Section 3 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service Personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 3 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 14% salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. All such increases shall be in addition to the salary received by such employees. It is the intention of this legislature that the Governor be, and he is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices and institutions under his direct control for the purpose of paying the salary increase for state employees and officials.

Section 2. Any law to the contrary notwithstanding, in addition to any increase in compensation granted in Section 1, any state employee granted a step increase after October 1, 1980, under the provisions of Act 80-616, Regular Session 1980, which step increase was in an amount less than a normal step under the state pay plan shall be brought up to the normal step in the state plan. It is the intent of this section to provide a unified pay plan for all state employees.

Section 3. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract, nor shall this Act apply to state judges whose salaries are payable from the State Treasury if such judges' salaries are increased under and by virtue of: (1) the recommendations contained in the Report of the Judicial Compensation Commission to the 1982 Regular Session of the Legislature becoming law; or (2) the enactment into law of legislation altering and amending said Report; or (3) any other legislation enacted into law during the 1982 Regular Session of the Legislature.

Section 4. The State Personnel Director shall revise the schedule of rates for all employees and officials hereby affected regardless of whether subject to the state merit system, to reflect any increase provided by this Act. The State Personnel Board shall certify to the State Comptroller the new rates of pay regardless of whether subject to the merit system, that such classification, employee or official is entitled to receive, and the Comptroller shall issue warrants in accordance therewith. With respect to court officials and employees within the Unified Judicial System who serve the trial courts of the state and the Administrative Office of Courts, the Administrative

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Director of Courts shall revise the salaries and the schedule of rates set forth in the pay plan for such court officials and employees to officials and employees to reflect any increase herein provided, and shall certify the same to the State Comptroller who shall issue warrants in accordance therewith.

Section 5. Such amounts as may be necessary to pay state employees the increased salaries provided herein are hereby appropriated for the fiscal year beginning October 1, 1982, from such funds as the salaries of the several state employees are paid, or, if there is not sufficient money in such funds, then from the general fund of the State treasury or any revenue sharing funds, such additional sums as may be necessary to pay the salary increases herein provided for such state employees and officials as are subject to the provisions of this Act.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Hall	Little	St. John
Bailey	Harrison	Martin	Smith
Britnell	Higginbotham	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
deGraffenried	Keener	Parsons	Teague (J)
Denton	Kirkland	Proctor	Vacca
Goodwin	Lemaster	Robertson	Weeks
Gulledge			—28

Nays: —0

And said Bill, S. B. 108, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
deGraffenried	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Vacca
Goodwin	Lemaster	Proctor	Weeks
Gulledge	Little	Robertson	—30

Nays: —0

MOTION TO RECESS LOST

At 6:25 P.M., Mr. Keener moved that the Senate take a recess until 8 o'clock this evening, which motion was lost.

BILLS ON THIRD READING RESUMED

The Bill:

S. 422. To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of probate judges so as to provide that the probate judge in each county in which such probate judge is paid a salary in lieu of fees, shall receive from that county a total annual compensation equal to ninety percent (90%) of the total annual compensation paid by the state and county to the presiding circuit judge in the judicial circuit serving such county; to delete certain minimum pay provisions; and to provide that the provisions of this section shall not affect the compensation of probate judges of counties where said judges receive a total compensation in excess of the amounts provided under subsection (a) of this section.

was again taken up. The question was on the Committee substitute, which said substitute is set out in the Journal of the Senate for the Twenty-Third Legislative Day.

The Standing Committee on Governmental Affairs reported the following amendment to the substitute for the Bill, S. B. 422, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE FOR S. B. 422.

Amend Senate Governmental Affairs Committee Substitute to Senate Bill 422, page 2, line 10, by striking out in its entirety Section 2 and inserting in lieu thereof the following:

"Section 2. This act shall become effective October 1, 1982."

Which was adopted.

Mr. Robertson offered the following amendment to the substitute, as amended, for the Bill, S. B. 422, to-wit:

AMENDMENT TO SUBSTITUTE AS AMENDED, FOR S. B. 422

Amend F & T Substitute for Senate Bill No. 422, Page One, Line 28, by striking out the period after the word year and inserting, "including fees and admissions."

Which was lost.

Mr. Teague offered the following amendment to the substitute, as amended, for the Bill, S. B. 422, to-wit:

AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 422

Amend S. B. 422 as substituted on page 1, line 28, after the word "year" by inserting the following:

Compensation shall be defined as salary and expenses."

Which was adopted.

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Yeas 13; Nays 8.

Yeas:

Messrs.:	Holmes	Robertson	Teague (J)	
Britnell	Little	Smith	Vacca	
Denton	Mitchem	Taylor	White	
Higginbotham	Parsons			—13

Nays:

Messrs.:	deGraffenried	Kirkland	McDonald	
Bailey	Goodwin	Lemaster	Miller	
Callahan				—8

Mr. Parsons offered the following amendment to the substitute, as amended, for the Bill, S. B. 195, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 422 AS AMENDED

In Section 1, page 2, after line 9, add the following underlined new subsection (e):

(e) It is further provided that no probate judge shall be entitled to the increased compensation provided in this amendatory act unless such judge shall pay the collections of the marriage license fee increase of \$5.00 into the domestic violence shelter fund as mandated by Act No. 81-813, S. 647, 1981 Regular Session (Acts 1981, p. 1452).

On motion of Mr. Callahan, said amendment was laid on the table.

Yeas 11; Nays 10.

Yeas:

Messrs.:	Goodwin	Kirkland	Mitchem	
Callahan	Gulledge	Martin	Taylor	
deGraffenried	Harrison	Miller	Weeks	
				—11

Nays:

Messrs.:	Denton	Little	Vacca	
Bailey	Hall	Parsons	White	
Britnell	Holmes	Robertson		—10

On motion of Mr. Callahan, further consideration of the Bill, S. B. 422, and pending substitute, as amended, was postponed temporarily.

MOTIONS IN WRITING

On motion of Mr. Little, Rule 14(9) was suspended and he was granted permission to offer the following Motion in Writing, to-wit:

I move that the Bill, S. B. 441, on page 89 of the Twenty-Sixth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, S. B. 441, referred to the Standing Committee on Rules for placement on the Consent Calendar.

On motion of Mr. Martin, Rule 14(9) was suspended and he was granted permission to offer the following Motion in Writing, to-wit:

I move that the Bill, H. B. 278, on page 131 of the Twenty-Sixth Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President and Presiding Officer of the Senate ordered said Bill, H. B. 278, referred to the Standing Committee on Rules for placement on the Consent Calendar.

BILLS ON THIRD READING RESUMED

The Bill:

S. 211. To provide for the definition, appointment, and removal of bank investigators and to specify the qualifications and powers of bank investigators and the responsibilities of the employing bank.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 1.

Yeas:

Messrs.:	Denton	Little	Taylor
Bailey	Goodwin	Martin	Teague (J)
Britnell	Holmes	Miller	Vacca
Callahan	Kirkland	Mitchem	Weeks
deGraffenried	Lemaster	Robertson	White

—19

Nay: Mr. Parsons.

—1

The Bill:

S. 410. To provide that the State Personnel Board, with the approval of the Governor, may provide that the State shall pickup member contributions to the Employees' Retirement System of Alabama and that such contributions shall be treated as employer contributions for federal income tax purposes but shall continue to be treated as before for all other state law purposes.

was taken up.

On motion of Mr. Taylor, further consideration of the Bill, S. B. 410, was postponed temporarily.

The Bill:

S. 464. To provide a more effective means of enforcing child support obligations by providing for withholding, under certain circumstances, of amounts from the obligee's unemployment compensation of entitlement; for the forwarding of such amounts to the child support enforcement agency; to establish the required procedures and to provide for the payment of reasonable administrative costs in connection therewith by the child support agency.

was taken up.

On motion of Mr. Teague (J), further consideration of the Bill, S. B. 464, was postponed temporarily.

The Bill:

S. 466. To amend portions of the Alabama Unemployment Compensation Act contained in Sections 25-4-75 and 25-4-140, Code of Alabama 1975, as last amended, so as to comply with the mandatory provisions of Public Law 97-35, relating to unemployment compensation; the extended benefit program; to permit assignment of benefits in connection with child support obligation and to provide for the deduction of, and subsequent payment to state and local child support enforcement agencies, amounts authorized by an agreement by an obligee or upon order of a court and to correct an error incorporated in Act 81-424, Regular Session, 1981, amending Section 25-4-75.

was taken up.

On motion of Mr. Teague (J), further consideration of the Bill, S. B. 466, was postponed temporarily.

The Bill:

S. 472. To amend sections 25-4-16, 25-4-77, 25-4-78, 25-4-94, and 25-4-118, Code of Alabama 1975, as last amended, so as to include amounts of the employee's portion of state unemployment and federal social security contributions paid by the employer without deduction from the employee's pay as "wages"; to permit receipt of benefits while attending training approved under the provisions of the Trade Readjustment Act of 1974 or, under certain criteria, leaving a job to enter such training; to remove "seeking a pension" as a cause for disqualification and permit fifty (50) percent reduction of social security or railroad retirement pension payments prior to deduction from benefits; to authorize release of information on wages, employment, benefits and location of individuals to child support agencies and to public and law enforcement officials in the performance of their official duties and provide penalties for misuse thereof; to make other such amendments as are necessary to meet mandatory federal conformity provisions; to make minor administrative changes and to set the effective date for the provisions of this act.

was taken up.

On motion of Mr. Teague (J), further consideration of the Bill, S. B. 472, was postponed temporarily.

The Bill:

S. 332. To amend Section 26-7A-1 and 26-7A-10, Code of Alabama 1975, to provide that all probate courts may, in the exercise of their judicial discretion, appoint a curator for certain persons and provides for the appointment of "limited curators".

was taken up.

On motion of Mr. Proctor, further consideration of the Bill, S. B. 332, was postponed temporarily.

The Bill:

S. 468. Proposing an amendment to the Constitution of Alabama prescribing certain procedures that will allow the legislature to enact local legislation on any subject.

was taken up.

On motion of Mr. Callahan, further consideration of the Bill, S. B. 468, was postponed temporarily.

On motion of Mr. Denton, his name was added as co-sponsor of the above Bill, S. B. 468.

The Bill:

S. 390. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses and other payments.

was taken up.

On motion of Mr. Goodwin, further consideration of the Bill, S. B. 390, was postponed temporarily.

FURTHER CONSIDERATION OF S. B. 422

The Senate proceeded to further consideration of the Bill, S. B. 422. The question was on the Committee substitute, as amended.

And said Committee substitute, as amended, was then adopted by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Gulledge	Lemaster	Robertson	
Bailey	Hall	Little	Teague (J)	
Callahan	Higginbotham	Martin	Vacca	
deGraffenried	Holmes	Miller	Weeks	
Denton	Kirkland	Proctor	White	
Goodwin				—20

Nays: —0

And said Bill, S. B. 422, as amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 4; Abstaining 1.

Yeas:

Messrs.:	Hall	Miller	Teague (B)	
Bailey	Lemaster	Mitchem	Teague (J)	
Callahan	Little	Pearson	Vacca	
deGraffenried	Martin	Robertson	Weeks	
Goodwin	McDonald	St. John	White	
Gulledge				—20

Nays: Messrs.: Denton, Holmes, Keener and Parsons. —4

Abstaining: Mr. Kirkland. —1

MOTION TO ADJOURN LOST

At 7:35 P.M., Mr. St. John moved that the Senate adjourn until Tuesday, April 13, 1982, at 2 o'clock P.M., which motion was lost.

REGULAR SESSION
26th Day

1307

Yeas 11; Nays 16.

Yeas:

Messrs.:	Holmes	Parsons	Robertson
Higginbotham	Keener	Pearson	St. John
Hilliard	Mitchem	Proctor	Teague (J)

—11

Nays:

Messrs.:	Goodwin	Little	Teague (B)
Bailey	Gulledge	McDonald	Vacca
Britnell	Hall	Miller	Weeks
Callahan	Harrison	Taylor	White
Denton			

—16

BILLS ON THIRD READING RESUMED

The Bill:

S. 295. To create an additional judgeship for the fifteenth judicial circuit in Alabama; to provide for the election of such judge and to designate that such additional judge shall serve as a judge of the family relations division of the circuit; to prescribe the jurisdiction, powers, qualifications, duties and compensation of such judge; and to amend Section 12-17-20 of the Code of Alabama 1975, as amended, so as to provide for such judge.

was taken up.

Mr. Teague (B) offered the following substitute for the Bill, S. B. 295, to-wit:

SUBSTITUTE FOR S. B. 295

A BILL
TO BE ENTITLED
AN ACT

To create an additional judgeship for the fifteenth judicial circuit in Alabama; to provide for the appointment of such judge and to designate that such additional judge shall serve as a judge of the family relations division of the circuit; to prescribe the jurisdiction, powers, qualifications, duties and compensation of such judge; and to amend Section 12-17-20 of the Code of Alabama 1975, as amended, so as to provide for such judge.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the office of circuit judgeship No. 7 of the fifteenth judicial circuit of Alabama, which shall be in addition to the judgeships of said circuit now existing.

Section 2. The judge of said circuit judgeship No. 7 shall serve as a judge of the family relations division of the circuit and shall have and exercise all of the jurisdiction, powers, rights and authority and shall possess all of the qualifications and shall perform all the duties and shall generally be subject to all the pains, obligations and penalties as other circuit judges.

Section 3. The additional circuit judge provided for in this Act shall receive the same salary and supplements, payable in the same manner, as the other circuit court judges in the fifteenth judicial circuit.

Section 4. Section 12-17-20 of the 1975 Code of Alabama is amended to read as follows:

"§ 12-17-20.

"(a) Except as otherwise provided in this section, each judicial circuit of the state shall have one resident circuit judge.

"(b) In the following judicial circuits, there shall be the number of resident circuit judges listed below:

"(1) There shall be two circuit judges in the first judicial circuit. The judge occupying judgeship No. 1 shall be the presiding judge.

"(2) There shall be two circuit judges in the fourth judicial circuit.

"(3) There shall be three circuit judges in the fifth judicial circuit.

"(4) There shall be five circuit judges in the sixth judicial circuit.

"(5) There shall be four circuit judges in the seventh judicial circuit.

"(6) There shall be three circuit judges in the eighth judicial circuit.

"(7) There shall be two circuit judges in the ninth judicial circuit.

"(8) There shall be 20 circuit judges in the tenth judicial circuit.

"(9) There shall be two circuit judges in the eleventh judicial circuit.

"(10) There shall be two circuit judges in the twelfth judicial circuit.

"(11) There shall be nine circuit judges in the thirteenth judicial circuit.

"(12) There shall be three circuit judges in the fourteenth judicial circuit.

"(13) There shall be six seven circuit judges in the fifteenth judicial circuit. At least two judges shall be assigned to the criminal division of said circuit, and one or more judges shall be assigned to the civil division, in the discretion of the presiding judge.

"(14) There shall be four circuit judges in the sixteenth judicial circuit.

"(15) There shall be three circuit judges in the eighteenth judicial circuit.

"(16) There shall be two circuit judges in the nineteenth judicial circuit.

"(17) There shall be three circuit judges in the twentieth judicial circuit.

"(18) There shall be two circuit judges in the twenty-second judicial circuit.

"(19) There shall be six circuit judges in the twenty-third judicial circuit.

"(20) There shall be two circuit judges in the twenty-fifth judicial circuit.

"(21) There shall be two circuit judges in the twenty-sixth judicial circuit.

"(22) There shall be two circuit judges in the twenty-seventh judicial circuit.

"(23) There shall be two circuit judges in the twenty-eighth judicial circuit.

"(24) There shall be two circuit judges in the twenty-ninth judicial circuit.

"(25) There shall be two circuit judges in the thirtieth judicial circuit.

"(26) There shall be two circuit judges in the thirty-first judicial circuit.

"(27) There shall be two circuit judges in the thirty-second judicial circuit.

"(28) There shall be two circuit judges in the thirty-third judicial circuit.

"(29) There shall be two circuit judges in the thirty-seventh judicial circuit.

"(30) There shall be two circuit judges in the thirty-eighth judicial circuit.

Section 5. There is hereby appropriated a sum not to exceed one-hundred-twenty-thousand-four-hundred-fifty-one dollars to the Unified Judicial System for fiscal year 1982-83, to be conditioned upon the condition of the general fund and upon approval of the Governor for the support and maintenance of the additional judgeship. If the Governor, at any time during fiscal year 1982-83 releases this conditional appropriation, he shall make an appointment filling this position as provided by law, provided however, if the Governor fails to make such appointment during fiscal year 1982-83, the Governor shall make an appointment to fill this position, as provided by law, no later than January 1, 1984.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Robertson
Bailey	Harrison	McDonald	Taylor
Britnell	Higginbotham	Miller	Teague (B)
deGraffenried	Hilliard	Mitchem	Teague (J)
Denton	Holmes	Parsons	Vacca
Goodwin	Kirkland	Pearson	Weeks
Gulledge	Little	Proctor	White

—27

Nays:

—0

And said Bill, S. B. 295, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Taylor
Bailey	Hall	McDonald	Teague (B)
Britnell	Harrison	Miller	Teague (J)
Callahan	Hilliard	Mitchem	Vacca
deGraffenried	Holmes	Parsons	Weeks
Denton	Kirkland	Proctor	White
Goodwin	Little	Robertson	—26

Nays: —0

On motion of Mr. Teague (B), his name was added as co-sponsor of the above Bill, S. B. 295.

The Bill:

S. 387. To provide for a minimum salary for county commissioners and chairmen of county commissions.

was taken up.

The Bill:

S. 386. To amend subsection (a) of Section 40-9-12 of the Code of Alabama 1975 in order to exempt from the payment of any and all state, county and municipal taxes, licenses, fees and charges the Board of Trustees of the Susie Parker Stringfellow Memorial Hospital established and created under the Last Will and Testament of Susie P. Stringfellow, deceased, and Stringfellow Memorial Hospital Non-Profit Realty Company, a nonprofit corporation, and all real and personal property of said Board of Trustees or said nonprofit corporation and to provide that no action or proceeding for the collection or enforcement of any such tax, license, fee, or charge may be instituted against said Board of Trustees or said nonprofit corporation subsequent to its effective date.

was taken up.

Mr. Holmes offered the following substitute for the Bill, S. B. 386, to-wit:

SUBSTITUTE FOR S. B. 386

A BILL TO BE ENTITLED AN ACT

To exempt from the payment of any and all state, county and municipal ad valorem taxes, the Board of Trustees of the Susie Parker Stringfellow Memorial Hospital established and created under the Last Will and Testament of Susie P. Stringfellow, deceased, and Stringfellow Memorial Hospital Non-Profit Realty Company, a nonprofit corporation, and all real and personal property of said Board of Trustees or said nonprofit corporation, to provide that any and all such ad valorem taxes which were, are or may be collected as the result of any assessment against said Board of Trustees or said nonprofit corporation, or any real or personal property of said Board of Trustees or said nonprofit corporation, shall be remitted to the entity which paid them to provide that no action or proceeding for the collection or enforcement of any such ad valorem tax may be instituted against said Board of Trustees or said nonprofit corporation subsequent of its effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Trustees of the Susie Parker Stringfellow Memorial Hospital established and created under the Last Will and Testament of Susie P. Stringfellow, deceased, and Stringfellow Memorial Hospital Non-Profit Realty Company, a nonprofit corporation, and all real and personal property of said Board of Trustees or said nonprofit corporation shall be exempt from the payment of any and all state, county and municipal ad valorem taxes.

Section 2. Any ad valorem taxes which were, are or may be collected subsequent to the effective date of this act as the result of any assessment against the Board of Trustees of the Susie Parker Stringfellow Memorial Hospital established and created under the Last Will and Testament of Susie P. Stringfellow, deceased, or Stringfellow Memorial Hospital Non-Profit Realty Company, a nonprofit corporation, or any real or personal property of said Board of Trustees or said nonprofit corporation, will be remitted to the entity which paid them; and no action or proceeding against said Board of Trustees or said nonprofit corporation may be instituted after such date by the State of Alabama or any county or municipality thereof or any person acting on behalf of any thereof for the collection or enforcement of any such ad valorem tax.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Teague (B)
Bailey	Gulledge	McDonald	Teague (J)
Callahan	Higginbotham	Miller	Vacca
deGraffenried	Holmes	Parsons	White
Denton	Kirkland	Taylor	—18

Nays: —0

And said Bill, S. B. 386, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Taylor
Bailey	Gulledge	McDonald	Teague (B)
Callahan	Higginbotham	Miller	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Kirkland	Robertson	White
			—19

Nays: —0

FURTHER CONSIDERATION OF S. B. 387

The Senate proceeded to further consideration of the Bill, S. B. 387.

MOTION TO ADJOURN LOST

At 8:15 P.M., Mr. Keener moved that the Senate adjourn until Tuesday, April 13, 1982, at 2:01 P.M., which motion was lost.

Yeas 10; Nays 16.

Yeas:

Messrs.:	Higginbotham	Parsons	St. John	
Bailey	Hilliard	Pearson	Taylor	
Hall	Keener	Robertson		—10

Nays:

Messrs.:	Harrison	McDonald	Teague (J)	
Britnell	Holmes	Miller	Vacca	
Callahan	Little	Proctor	Weeks	
Denton	Martin	Teague (B)	White	
Goodwin				—16

FURTHER CONSIDERATION OF S. B. 387

The Senate proceeded to further consideration of the Bill, S. B. 387.

Mr. Martin offered the following amendment to the Bill, S. B. 387, to-wit:

AMENDMENT TO S. B. 387

Amend Senate Bill No. 387 Page 2 Line 33, by adding new Section 6: The other provisions of this act notwithstanding, the provisions of this act which serve to increase pay commissions or commission chairman's compensation shall not take effect unless said county commission is complying with any local act which requires payment of any Judicial Supplement

Further amend Bill by renumbering Sections 6, 7, & 8 so that they become Sections 7, 8, & 9.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	Teague (J)	
Britnell	Harrison	Miller	Vacca	
Denton	Higginbotham	Proctor	Weeks	
Goodwin	Little	Robertson	White	
Gulledge	Martin	Taylor		—18

Nays:

—0

The Bill:

S. 479. To amend Section 11-89A-13, Code of Alabama 1975, so as to require certain solid waste authorities to have a resource recovery facility in operation before it may begin processing solid wastes.

was taken up.

On motion of Mr. Little, further consideration of the Bill, S. B. 479, was postponed temporarily.

The Bill:

S. 469. To add a Subsection 4 to Section 11-54-80 of the Code of Alabama of 1975, as amended, to include hydroelectric utility facilities in the definition of projects qualifying to be financed through Industrial Development Boards.

was taken up.

On motion of Mr. Miller, further consideration of the Bill, S. B. 469, was postponed temporarily.

The Bill:

S. 333. To amend Section 19-3-1, Code of Alabama 1975, which provides for the creation of trusts for the support of relatives, so as to provide further for said trusts.

was taken up.

On motion of Mr. Gulledge, further consideration of the Bill, S. B. 333, was postponed temporarily.

The Bill:

S. 106. To amend Section 27-4-2, Code of Alabama, 1975, to provide for an increase in certain fees, licenses and miscellaneous charges.

was taken up.

On motion of Mr. Bailey, further consideration of the Bill, S. B. 106, was postponed temporarily.

FURTHER CONSIDERATION OF S. B. 387

The Senate proceeded to further consideration of the Bill, S. B. 387, as amended.

On motion of Mr. Robertson, further consideration of the Bill, S. B. 387, as amended, was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

S. 66. To remove the requirement of driver education for graduation; to require local school systems to provide the opportunity for driver education; to provide for the protection of driver education teachers currently employed and provide requirements for optional driver education courses.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Taylor
Britnell	Harrison	McDonald	Teague (J)
Callahan	Higginbotham	Miller	Vacca
deGraffenried	Holmes	Proctor	Weeks
Denton	Kirkland	Robertson	White
Goodwin	Little		

Nays:

—0

The Bill:

S. 344. To amend Section 32-6-7, Code of Alabama 1975, relating to persons ineligible for the issuance of driver's license for motor vehicles, so as to provide further therefor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Gulledge	McDonald	Teague (B)
Britnell	Harrison	Miller	Teague (J)
Callahan	Holmes	Parsons	Vacca
deGraffenried	Kirkland	Proctor	Weeks
Denton	Little	Robertson	White
Goodwin	Martin	Taylor	

—22

Nay: Mr. Higginbotham.

—1

The Bill:

S. 339. To amend Section 20-2-53, Code of Alabama, 1975, to provide for an appeal of any action of a certifying board denying, suspending or revoking a registration or refusing the renewal of a registration whether or not such suspension, revocation, or registration is limited; to specify the procedure for taking such an appeal including the time within which a petition for review must be filed; to provide that the venue for an appeal shall be in the Circuit Court of Montgomery County; to provide that the Circuit Court is specifically authorized to exercise its own discretion as to questions of fact as well as law; to provide that the effect of a certifying board's order shall be stayed pending the Circuit Court's determination of the case; to provide for an appeal from the judgment of the Circuit Court; to provide that a decision of the Circuit Court shall not be stayed or held in abeyance pending further appeal; and to provide that the provisions of this act shall take precedence over the provisions of the Alabama Administrative Procedure Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Harrison	McDonald	Teague (B)
Britnell	Higginbotham	Miller	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Kirkland	Proctor	Weeks
Goodwin	Little	Robertson	White
Gulledge	Martin	Taylor	

—22

Nays:

—0

FURTHER CONSIDERATION OF S. B. 387

The Senate proceeded to further consideration of the Bill, S. B. 387, as amended.

Mr. Robertson offered the following amendment to the Bill, S. B. 387, as amended, to-wit:

AMENDMENT TO S. B. 387

On page 1, in Section 1 on line 26, strike the words "but shall not" and strike all of lines 27 and 28 in their entirety.

On page 1, in Section 1, on line 25, after the word "allowance" insert the following:

the actual cost of using and maintaining a county supplied motor vehicle,

On motion of Mr. Robertson, said amendment was laid on the table.

Mr. Robertson then offered the following amendment to the Bill, S. B. 387, as amended, to-wit:

AMENDMENT TO S. B. 387, AS AMENDED

Amend Senate Bill No. 387, Page 1 Line 36, by striking out the figures \$12,000 and insert in lieu thereof the figures \$9,600.

Further amend the bill on page 2 line 6 by striking out the figures of \$16,000 and inserting in lieu thereof the figures \$13,600.

Which was adopted.

Yeas 12; Nays 4.

Yeas:

Messrs.:	Holmes	Parsons	Vacca	
Denton	McDonald	Robertson	Weeks	
Goodwin	Miller	Teague (J)	White	
Higginbotham				—12

Nays: Messrs.: Britnell, Little, Martin and Taylor. —4

And said Bill, S. B. 387, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 5.

Yeas:

Messrs.:	Gulledge	Martin	Teague (B)	
Bailey	Hall	McDonald	Teague (J)	
Britnell	Harrison	Parsons	Vacca	
Callahan	Higginbotham	Proctor	Weeks	
deGraffenried	Hilliard	Robertson	White	
Goodwin	Kirkland	Taylor		—22

Nays: Messrs.: Denton, Holmes, Little, Miller and Pearson. —5

The Bill:

S. 109. To establish and fix the salaries of the tax assessors, tax collectors, revenue commissioners, license commissioners or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State; to abolish the fee system of compensation of such officials presently on a fee system; to provide for the method of payment of the salaries herein established; to provide for the personnel and other expenses necessary to the operation of such officials' offices; to provide that employees of the officials herein converted from a fee to a salary basis of compensation may continue their employment irrespective of the Alabama Ethics Act or, any State nepotism laws; to provide for the payment of the fees, commissions and allowances paid to such officials presently on a fee system to be paid into the treasury from which their salaries are paid; to repeal all laws in conflict; and to establish the effective date of this Act.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 109, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 109

A BILL
TO BE ENTITLED
AN ACT

To establish and fix minimum salaries of the tax assessors, tax collectors, revenue commissioners, license commissioners or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State; to abolish the fee system of compensation of such officials presently on a fee system; to provide for the method of payment of the salaries herein established; to provide for the personnel and other expenses necessary to the operation of such officials' offices; to provide that employees of the officials herein converted from a fee to a salary basis of compensation may continue their employment provided such employment commenced prior to passage of the Alabama Ethics Act; to provide for the payment of the fees, commissions and allowances paid to such officials presently on a fee system to be paid into the treasury from which their salaries are paid; to repeal all laws in conflict; and to establish the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Legislature recognizes the necessity of an equitable, fair, and efficiently administered ad valorem tax program to the revenue producing functions of government, both state and local, and it further recognizes that since the implementation of state-wide reappraisal of property and the equalization of ad valorem taxes in this State, the complexity and burden on the officials charged with assessing and collecting such taxes has greatly increased. Likewise, great disparity has developed among the various counties of this State in both the adequacy of compensation of such officials and the distribution of the cost of administering the ad valorem tax program among the various agencies and funds receiving such taxes. Therefore, in order to secure the services of competent officials in all counties of this State to administer the ad valorem tax program and to fairly distribute the burden of funding the costs of such program, it is the intent of this Act to establish an equitable, minimum basis of compensation of such officials and distribution of the costs of administering such program.

Section 2. On and after the effective date of this Act the tax assessors, tax collectors, revenue commissioners, license commissioners, or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State, shall be compensated by an annual salary, each of such officials to receive as a minimum, except as hereinafter provided, an annual salary in the amount specified by the following schedule:

IN COUNTIES HAVING
A POPULATION OF:

ANNUAL SALARY

15,000 or less	\$ 18,000.00
15,001 to 25,000	\$ 20,000.00
25,001 to 75,000	\$ 25,000.00
75,001 to 197,000	\$ 27,500.00
More than 197,000	\$ 30,000.00

Provided, however, that in all counties wherein an elected Assistant Tax assessor or Assistant Tax collector has been or may hereafter be established by law to function separate and apart from the office of tax assessor or tax collector in such counties, the salary for such elected assistant officials shall be ninety (90%) percent of the salary established herein for the tax assessor or tax collector in such counties.

Section 3. The salary for such officials in each of the various counties of this State shall be determined according to the above specified schedule based upon the 1980 Federal Decennial Census. The salaries, as above determined, shall be paid on a pro rata basis out of the monies collected each tax year into the general fund of each respective county of the State, and thereafter paid from said fund to such officials in equal installments. Nothing contained in this Act shall be construed to prohibit the Legislature from increasing the salaries herein provided by the passage of local legislation in the individual counties of this State.

Section 4. Notwithstanding the provisions of Section 2 hereof, all such officials who are presently compensated by salaries which are higher than the salaries specified in the foregoing schedule shall continue to be compensated at their present salaries, subject to any other provisions of this Act, until subsequently changed by passage of local legislation affecting their respective counties. Additionally, all such officials who are presently being converted from a fee basis to a salary basis by this Act, whose net personal income from fees, commissions and allowances for the tax year next preceding the effective date of this Act are higher than the salaries specified in the foregoing schedule, shall be placed on a salary equal to their net personal income for such year; such salary for said officials being converted from a fee basis to a salary basis shall continue, subject to the other provisions of this Act, for as long as said officials continuously remain in office, and upon vacation of their office for whatever cause the salary of their successor shall be determined according to the schedule set forth in Section 2 hereof, unless otherwise provided by the passage of local legislation affecting any of such counties. The net personal income of such officials during the tax year next preceding the effective date of this Act shall be certified by said officials to the governing body of their respective counties, and such net personal income must be verified by the Office of Examiners of Public Accounts. The term "net personal income" as used herein shall mean the total fees, commissions, allowances, and other compensation for the tax year next preceding the effective date of this Act less the total amount paid by such official in said tax year for the operation of his or her office, including salaries of any employees in such office paid by such official.

Section 5. The governing bodies of each of the counties of this State shall provide the tax assessor, tax collector, revenue commissioner, license commissioner or such other official charged with assessing and collecting ad valorem taxes with such office personnel, clerks and deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as may be necessary for the proper and efficient conduct of such offices. The compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal installments out of the general fund of the county. Notwithstanding the Alabama Ethics Act, any employees working in such offices prior to the passage of such Act may be continued as employees in such offices by the county governing body. All employees in such offices in counties which operate a merit system for county employees shall automatically become participants in such system.

Section 6. All fees, commissions, allowances or other compensation heretofore collected by or paid to officials on a fee basis of compensation shall hereafter be paid into the general fund of their respective counties.

Section 7. Any fees, commissions, allowances or other compensation due to officials who are converted from a fee basis to a salary basis hereunder, which have been fully earned but remain unpaid on the effective date of this Act, shall be paid to such officials in the same manner as such fees, commissions, allowances or other compensation was paid to them prior to the effective date of this Act.

Section 8. All laws, general or local, which are in conflict with this Act are hereby repealed, to the extent to such conflict. This section shall not be construed to repeal any local laws providing funds for the operation of the offices of tax assessor, tax collector, revenue commissioner or license commissioner in the various counties of this State.

Section 9. This Act is severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 10. This Act is subject to a proposed constitutional amendment introduced simultaneously herewith. If said proposed constitutional amendment fails to pass the Legislature in the current session, or after passage fails to be ratified by the qualified electors of this State in the referendum election to be held thereon, then this Act shall be null and void. If said constitutional amendment is adopted, then this Act shall be effective beginning October 1 immediately following such adoption.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for the Bill, S. B. 109, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE FOR S. B. 109

Amend Finance & Taxation Committee Substitute to Senate Bill 109 on Page 3, Line 24, by striking the words "the salaries" after the word "increasing" and add in lieu thereof the words "or decreasing the salaries or expense account".

On motion of Mr. White, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for the Bill, S. B. 109, to-wit:

COMMITTEE AMENDMENT TO THE SUBSTITUTE FOR S. B. 109

Amend Finance & Taxation Committee Substitute to Senate Bill 109 on Page 2, Line 37, by striking out the following:

"15,000 or less

\$18,000.00"

Further amend said bill on Page 3, Line 5, by striking the following:

"15,001 to 25,000"

and inserting in lieu thereof the following:

"25,000 or less"

On motion of Mr. White, said amendment was laid on the table.

And on motion of Mr. White, said substitute was laid on the table.

Mr. White then offered the following substitute for the Bill, S. B. 109, to-wit:

SUBSTITUTE FOR S. B. 109

A BILL
TO BE ENTITLED
AN ACT

To establish and fix minimum salaries of the tax assessors, tax collectors, revenue commissioners, license commissioners or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State; to abolish the fee system of compensation of such officials presently on a fee system; to provide for the method of payment of the salaries herein established; to provide for the personnel and other expenses necessary to the operation of such officials' offices; to provide that employees of the officials herein converted from a fee to a salary basis of compensation may continue their employment provided such employment commenced prior to passage of the Alabama Ethics Act; to provide for the payment of the fees, commissions and allowances paid to such officials presently on a fee system to be paid into the treasury from which their salaries are paid; to repeal all laws in conflict; and to establish the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Legislature recognizes the necessity of an equitable, fair, and efficiently administered ad valorem tax program to the revenue producing functions of government, both state and local, and it further recognizes that since the implementation of state-wide reappraisal of property and the equalization of ad valorem taxes in this State, the complexity and burden on the officials charged with assessing and collecting such taxes has greatly increased. Likewise, great disparity has developed among the various counties of this State in both the adequacy of compensation of such officials and the distribution of the cost of administering the ad valorem tax program among the various agencies and funds receiving such taxes. Therefore, in order to secure the services of competent officials in all counties of this State to administer the ad valorem tax program and to fairly distribute the burden of funding the costs of such program, it is the intent of this Act to establish an equitable, minimum basis of compensation of such officials and distribution of the costs of administering such program.

Section 2. On and after the effective date of this Act the tax assessors, tax collectors, revenue commissioners, license commissioners, or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State, shall be compensated by an annual salary, each of such officials to receive as a minimum, except as hereinafter provided, an annual salary in the amount specified by the following schedule:

IN COUNTIES HAVING
A POPULATION OF:

	ANNUAL SALARY
25,000 or less	\$ 20,000.00
25,001 to 75,000	25,000.00
75,001 to 197,00	27,500.00
More than 197,000	30,000.00

Provided, however, that in all counties wherein an elected Assistant Tax Assessor or Assistant Tax Collector has been or may hereafter be established by law to function separate and apart from the office of tax assessor or tax collector in such counties, the salary for such elected assistant officials shall be ninety (90%) percent of the salary established herein for the tax assessor or tax collector in such counties. The salary for such officials in each of the various counties of this State shall be determined according to the above specified schedule based upon the 1980 Federal Decennial Census. The salaries, as above determined, shall be paid on a pro-rate basis out of the monies collected each tax year into the general fund of each respective county of the State, and thereafter paid from said fund to such officials in equal installments. The pro rata share of the officials' salaries to be paid by each fund or agency receiving ad valorem taxes, shall be determined in each county by computing the percentage that the total collections for each fund or agency bears to the total collections of ad valorem taxes. With respect to municipalities, the pro-rata share of the officials' salaries provided for in this Act shall be paid in lieu of any fees or commissions presently paid by any municipalities for assessment and collection of ad valorem taxes. The pro-rata share of salaries each fund or agency shall pay during the first year after implementation of this Act shall be based upon the collections made during the tax year next preceding the effective date of this Act.

Section 3. In every county wherein the offices of tax assessor and tax collector have been or may hereafter be combined into one office headed by one official, designated as revenue commissioner, assessor/collector, or by some other title, the minimum annual salary of such official shall be \$10,000 more than the minimum salary established in Section 2 hereof for a separate tax assessor or tax collector in such counties.

Section 4. Notwithstanding the provisions of Section 2 hereof, all such officials who are presently compensated by salaries which are higher than the salaries specified in the foregoing schedule shall continue to be compensated at their present salaries, subject to any other provisions of this Act, until subsequently changed by passage of legislation affecting their respective counties. The term salary as respects such officials for purposes of this Section, shall include the total compensation presently received by such officials on a salary basis of compensation, whether designated as salary or expense allowance or otherwise, provided such compensation is paid directly to such officials. Any official presently compensated on a salary basis whose total compensation as defined in this Section equals or exceeds the minimum salary prescribed in Section 2 hereof, shall be deemed to satisfy the minimum salary mandated by this Act.

Section 5. All officials who are being converted from a fee basis to a salary basis by this Act, whose net personal income from fees, commissions, allowances or other compensation for the tax year next preceding the effective date of this Act are higher than the salaries specified in the foregoing schedule, shall be placed on a salary equal to their net personal income for such year. Such salary for said officials being converted from a fee basis to a salary basis shall continue, subject to the other provisions of this Act, for as long as said officials continuously remain in office, and upon vacation of their office for whatever cause the salary of their successor shall be determined according to the schedule set forth in Section 2 hereof, unless otherwise provided by the passage of local legislation affecting any of such counties. The net personal income of such officials during the tax year next preceding the effective date of this Act shall be certified by said officials to the governing body of their respective counties, and such net personal income must be verified by the Office of Examiners of Public Accounts. The term "net personal income" as used herein shall mean the total fees, commissions, allowances, and other compensation for the tax year next preceding the effective date of this Act less the total amount paid by such official in said tax year for the operation of his or her office, including salaries of any employees in such office paid by such official.

Section 6. The governing bodies of each of the counties of this State shall provide the tax assessor, tax collector, revenue commissioner, license commissioner or such other official charged with assessing and collecting ad valorem taxes with such office personnel, clerks and deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as may be necessary for the proper and efficient conduct of such offices. The compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal installments out of the general fund of the county. Notwithstanding the Alabama Ethics Act, any employees working in such offices prior to the passage of such Act may be continued as employees in such offices by the county governing body. All employees in such offices in counties which operate a merit system for county employees shall automatically become participants in such system.

Section 7. All fees, commissions, allowances or other compensation heretofore collected by or paid to officials on a fee basis of compensation shall hereafter be paid into the general fund of their respective counties.

Section 8. Any fees, commissions, allowances or other compensation due to officials who are converted from a fee basis to a salary basis hereunder, which have been fully earned but remain unpaid on the effective date of this Act, shall be paid to such officials in the same manner as such fees, commissions, allowances or other compensation was paid to them prior to the effective date of this Act.

Section 9. All laws, general or local, which are in conflict with this Act are hereby repealed, to the extent of such conflict. All laws providing expense allowances to officials covered by this Act who are presently compensated by salary are hereby repealed.

Section 10. This Act is severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 11. This Act shall be effective on October 1 immediately following the adoption and ratification of a constitutional amendment authorizing the implementation of this Act, or on the first day of the next term of office of the officials affected herein, which ever first occurs.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Little	Taylor	
Britnell	Harrison	Martin	Teague (B)	
Callahan	Higginbotham	McDonald	Teague (J)	
deGraffenried	Hilliard	Miller	Vacca	
Denton	Holmes	Parsons	Weeks	
Goodwin	Kirkland	Proctor		—22

Nays: —0

And said Bill, S. B. 109, as thus amended by the substitute was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 3.

Yeas:

Messrs.:	Hall	Miller	Teague (B)	
Britnell	Harrison	Parsons	Vacca	
Callahan	Hilliard	Proctor	Weeks	
deGraffenried	Kirkland	Taylor	White	
Goodwin	McDonald			—17

Nays: Messrs.: Holmes, Martin and Teague (J). —3

The Bill:

S. 110. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officials in the various counties of the State charged with the assessing and collecting of ad valorem taxes.

was taken up.

Mr. White offered the following substitute for the Bill, S. B. 110, to-wit:

SUBSTITUTE TO S. B. 110

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officials in the various counties of the State charged with the assessing and collecting of ad valorem taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and proclaimed as prescribed by law.

CONSTITUTIONAL AMENDMENT

The Legislature may, from time to time, by general law applicable to the various counties of this State, establish the salaries, fees, commissions or allowances to be charged or received by the tax assessors, tax collectors,

license commissioners, revenue commissioners or other officials charged with the assessing and collecting of ad valorem taxes in the various counties of this state, including changing the method and basis of their compensation; and may place any or all of such officials on a salary and further provide for disposition of the fees, commissions, allowances or other compensation theretofore paid to such officials; and may provide that the salaries of such officials may be paid from the ad valorem taxes assessed and collected by them on a pro rata basis from the various funds receiving such ad valorem taxes; provided, however, that following the effective date of any general law passed pursuant to this constitutional amendment, the legislature may not thereafter either increase or decrease the salaries of such officials during any term for which such officials have been elected or appointed, and in the case of such officials who were converted from a fee basis to a salary basis of compensation, during any term for which such officials have been elected or appointed or may be thereafter re-elected or re-appointed.

In the event this amendment is approved and subsequently ratified by the qualified electors of this State who vote thereon when it is submitted, then any law theretofore passed by the Legislature addressing the subject matter covered by this amendment shall become effective according to the provisions of said law.

Section 2. An election upon this proposed amendment is ordered to be held at the first general, special or primary election after the expiration of ninety (90) days from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Section 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published for four (4) successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county for four (4) successive weeks next preceding the day appointed for the election.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Little	Taylor
Britnell	Harrison	Martin	Teague (J)
Callahan	Higginbotham	McDonald	Vacca
deGraffenried	Hilliard	Miller	Weeks
Denton	Holmes	Proctor	White
Goodwin	Kirkland	Robertson	—22

Nays: —0

And said Bill, S. B. 110, as thus amended by the substitute, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Taylor
Bailey	Harrison	McDonald	Teague (B)
Britnell	Higginbotham	Miller	Teague (J)
Callahan	Hilliard	Parsons	Vacca
deGraffenried	Holmes	Proctor	Weeks
Denton	Kirkland	Robertson	White
Goodwin	Little		

—25

Nays:

—0

The Bill:

S. 254. To establish the "Alabama Dental Services Corporation Act"; to authorize the organization and operation of dental services corporations and to provide exceptions; to prescribe public regulation of such corporations; to prescribe certain bond and security deposits, working capital, contract and certificate forms; to prescribe procedures for subscription rates, requirements of charters, articles of incorporation and bylaws and amendments thereto; to require certain operational and financial reports; to make certain insurance and criminal laws applicable to such corporations, including: Title 27, Chapters 1, 2, 4, 6, 7, 11 and 32, Title 13, Chapter 8, of the Code of Alabama 1975; to provide for requirements and eligibility of applicants and contracting sales agents, reporting and accounting of funds received, business and fiscal accountability and disclosures; to provide certain grounds and procedures for compulsory and discretionary revocation, suspension or refusal for registration for such agents; to authorize the assessment and collection of administrative fines and certain instances; to grant the commissioner of insurance and department of insurance certain powers, duties and responsibilities with respect to the supervision and regulation of such dental services corporations; to authorize the commissioner to formulate, issue and implement reasonable rules and regulations to carry out the provisions of the Act; to prescribe a time frame for certain actions to be made by the commissioner and department; to establish licensing requirements, fee requirements and the payment and disposition of such fees; to prescribe the mode of reviewing and mediating complaints; to authorize the department of insurance to make certain audits and examinations of such corporations; to prohibit any non-licensed or unauthorized persons, or persons who are not in compliance with the provisions of this Act, from using the phrase or functioning in dental services, plans or otherwise hold themselves out as so authorized; to provide for such corporations existing prior to the passage of the provisions of this Act; to prescribe criminal penalties and punishment for violations of the provisions of this Act; and to provide an effective date.

was taken up.

The Standing Committee on Health and Welfare reported the following amendment to the Bill, S. B. 254, to-wit:

COMMITTEE AMENDMENT TO S. B. 254

Amend S. B. 254 as follows:

On page one in the synopsis, line 21, delete the figure "7" and insert in lieu thereof the figure 8 and on line 22 following the figure "11" insert the figure 12 and on line 22 delete the words "Title 13, Chapter 8" and insert in lieu thereof the words Title 13-A, Chapter 8.

In the title on page three in line eight, delete the figure "7" and "11" and insert in lieu thereof the figures 8 and 12; also on line eight delete the words and figures "Title 13" and insert in lieu thereof the words and figures, Title 13-A.

In Section 11 (d), page ten, delete lines 24 through 30 in their entirety and insert in lieu thereof the following: (d) The Commissioner shall be responsible for the safe keeping of all securities. Said securities under this Section shall be deposited with the State Treasurer. Such securities shall not, on account of being in this state, be subject to taxation, but shall be held exclusively and solely to guarantee the dental service plan corporation's performance of its obligations to its subscribers;

In Section 11, (e), page ten, in lines 37 and 38 delete the words "treasurer of the state" and insert in lieu thereof the word Commissioner.

In Section 11, (e), on page 11 delete lines 5 through 7 in their entirety and insert in lieu thereof the following: parties entitled thereto, or shall release any bond filed with the Commissioner in lieu of such deposit;

In Section 15, (b), (iv), page 14, in line 22 delete the figure "11" and insert in lieu thereof the figure 12.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Hall	Martin	Taylor
Britnell	Higginbotham	McDonald	Teague (J)
Callahan	Holmes	Miller	Weeks
deGraffenried	Kirkland	Parsons	White
Denton			—20

Nays: —0

And said Bill, S. B. 254, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Hall	Martin	Taylor
Britnell	Higginbotham	McDonald	Teague (J)
Callahan	Holmes	Miller	Weeks
deGraffenried	Kirkland	Parsons	White
Denton			—20

Nays: —0

The Bill:

S. 45. To amend Code of Alabama 1975, Section 36-27-16, which relates to the Employees' Retirement System, amending said section so as to provide that any member who has attained age 60, or page 52 in the case of a state policeman, and has previously withdrawn from service may retire upon written application to the board of control setting forth at what time, not less than 30 days, nor more than 90 days subsequent to the execution and filing thereof, he desires to be retired; provided that the said member shall have completed the age and service requirements established by the board of

control for eligibility for deferred benefits. To provide that the board of control shall establish said age and service requirements; and that from time to time, said requirements for the minimum years of creditable service shall not be less than 10 years nor more than 25 years.

was taken up.

On motion of Mr. Denton, further consideration of the Bill, S. B. 45, was postponed temporarily.

The Bill:

S. 428. To provide for the issuance of special permits for the movement of certain type oversized loads over or on the highways of Alabama.

was taken up.

On motion of Mr. Martin, further consideration of the Bill, S. B. 428, was postponed temporarily.

The Bill:

S. 144. To provide longevity pay for certain employees in the classified service of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

was taken up.

On motion of Mr. Robertson, further consideration of the Bill, S. B. 144, was postponed temporarily.

POINT OF PERSONAL PRIVILEGE

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that he had received the following Communication from the Enrolling Clerk of the Senate, to-wit:

"At 11:45 A.M., on Thursday, April 8, I attempted to deliver Senate Bills 28, 307, 356, 397, 454, 482, 493, and Senate Joint Resolutions 179, 195, 198, 211, 216, and 223 to the Governor's Recording Secretary in the basement office. I was accompanied by Angie Stevenson, photographer. The door to the office was locked, the blinds drawn, and the lights were out. At 12:00 Noon, accompanied by Senator Earl Goodwin, we attempted to deliver same to the Governor's Office on the first floor. The same conditions prevailed. At 12:01 P.M. the Senator and I attempted to deliver same to the Recording Secretary in the basement and encountered the same conditions.

"At 3:15 P.M., accompanied by Senator McDonald, Senator Gullett, Representative Manley and members of the news media, we attempted to deliver Senate Bill 4 to every door to the Governor's Offices on the first floor and the basement. The same conditions prevailed."

"ANN S. WORTHINGTON,
Enrolling and Engrossing Clerk,
Senate of Alabama"

The foregoing communication was read and ordered spread upon the Journal.

ADJOURNMENT

At 10:55 P.M., on motion of Mr. Higginbotham, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, April 13, 1982, at 2:06 P.M.

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, APRIL 13, 1982

The Senate met pursuant to adjournment, Lieutenant Governor McMillan presiding.

PRAYER

The Session was opened with prayer by the Reverend Jerry Henderson, Minister of Music and Youth, Heritage Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Lemaster	Robertson	

—34

JOURNAL

On motion of Mr. St. John, the reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

ALBERT McDONALD,
Chairman.

COMMITTEE REPORT

On motion of Mr. McDonald, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. St. John, leave of absence was granted Mr. Glass for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 331. Relative to Legislative meeting dates from Thursday, April 8, 1982, to Tuesday, April 13, 1982.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

RESOLUTION

Mr. Teague (B) offered the following Senate Resolution, to-wit:

S. R. 239. COMMENDING THE BOARD OF DIRECTORS OF THE MONTGOMERY AREA CHAMBER OF COMMERCE FOR ITS INITIATION OF THE JOBS FOR JOBS UNEMPLOYMENT RELIEF PROGRAM.

Which was adopted.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 11. To require every railroad conductor and engineer who operates a train in this state to carry on his person a qualification permit while on duty in train service.

Also:

S. 182. To provide authority for the state board of education to appoint a Chancellor to serve as the executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools, and Athens College; provide that the board shall set salary of its chief executive officers; establish the authority of the board and Chancellor regarding the junior colleges and trade schools and the Office of the Chancellor; and provide authority for administrative actions necessary to govern the junior colleges and trade schools.

Also:

S. 170. To amend Sections 36-21-60 and 36-21-68, Code of Alabama 1975, which relate to definitions and eligibility for membership in the Peace Officers' Annuity and Benefit Fund, so as to make certain persons, who are specifically excluded from membership, eligible for membership, and to provide that certain persons recently accepted into the fund shall not be given credit for prior service.

Also:

S. 140. To further amend Section 6-5-333 of the Code of Alabama, 1975, as amended, relating to exemption from liability for dentists constituting certain committees, so as to extend such exemption to chiropractors and physicians.

Also:

S. 197. To amend Section 23-1-5, Code of Alabama 1975, relating to the reimbursement by the state of relocation costs of certain utility companies having a gross income of \$10,000,000 or less for the calendar year preceding the relocation, and provided that the relocation is necessitated by highway construction, so as to provide further for the dollar amounts of the gross income of such utility company owners or operators.

Also:

S. 199. To amend Section 36-22-62 of the Code of Alabama, 1975, to provide for cost of living increases in the compensation of Supernumerary Sheriffs of the several counties within this State.

Also:

S. 237. To provide for the payment of tuition and the cost of textbooks for an undergraduate student in a state college, junior college, or university, who is the child of a law enforcement officer or fire fighter killed in line of duty; to create a Tuition Eligibility Board to administer the provisions of the Act, and to prescribe its composition, duties and responsibilities; to appropriate necessary funds from the General Fund and to specifically repeal certain conflicting statutes.

Also:

S. 265. To amend Section 9-11-252, Code of Alabama 1975, relating to the penalties for the violation of sections 9-11-250 (taking deer from public waters) or 9-11-251 (taking deer at night), so as to increase and amend penalties for the violation thereof.

Also:

S. 205. To amend Section 16-4-5, Code of Alabama, 1975, to require the taking of a school census every ten years and, further, repeals the school census requirement subject to ratification of a constitutional amendment.

Also:

S. 406. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Also:

S. J. R. 177. COMMENDING LIVINGSTON STATE UNIVERSITY'S BASKETBALL TEAM, GULF SOUTH CONFERENCE TOURNAMENT CHAMPIONS.

Also:

S. J. R. 180. COMMENDING THE UAB BASKETBALL TEAM.

Also:

S. J. R. 190. MEMORIALIZING CONGRESS TO PAY SOCIAL SECURITY BENEFITS EARNED BY STATE PRISONERS INTO THE STATE GENERAL FUND.

Also:

S. J. R. 191. COMMENDING THE HEALTH OCCUPATION EDUCATION CLASS OF THE TROY-PIKE AREA VOCATIONAL CENTER.

Also:

S. J. R. 192. COMMENDING MRS. MARY KIMBRO BUTLER OF ECLECTIC, ALABAMA ON RECENTLY HAVING HER NOVEL "PAPA'S OLD TRUNK" RELEASED BY HER PUBLISHER.

Also:

S. 272. Relating to Jefferson County: An Act fixing supplemental salaries or compensation to be paid certain retired district judges in the 10th Judicial Circuit.

Also:

S. J. R. 228. HONORING MR. JOHN HANNAH FOR OUTSTANDING ATHLETIC ACCOMPLISHMENT, AND AS AN EXEMPLAR OF CHRISTIAN PRINCIPLE.

Also:

S. J. R. 229. MOURNING THE DEATH OF ILAH NATION DEAN OF OPELIKA, ALABAMA.

Also:

S. J. R. 232. COMMENDING AUSTIN HIGH SCHOOL, DECATUR, ALABAMA, ON ITS U. S. HIGH SCHOOL NATIONAL RECORD IN UNITS OF BLOOD COLLECTED 1981-82.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

COMMUNICATION FROM THE SUPREME COURT

OCTOBER TERM, 1981-82

ORDER

The Governor's motion that the Justices recuse themselves in re Request for an Advisory Opinion, Senate Resolution No. 236 adopted at the 1982 Regular Session of the Legislature of Alabama, is denied.

Since early in this century, the Justices of this Court have responded to some 294 requests from both Houses of the Legislature and the Governor for advisory opinions as authorized by Act No. 43, passed in 1923. The Justices do so as an accommodation to the Governor and the Legislature. If either wishes the Justices to discontinue this practice, they are free at any time to introduce legislation to repeal Act No. 43.

Section 6.09 of Amendment 328 has been a part of the Constitution since 1973. Since its adoption, the Judicial Compensation Commission has submitted a report to the Legislature five times at regular sessions of the Legislature. During these sessions, Justices of this Court have been requested to answer eighty-three questions sent to them by both Houses of the Legislature as well as by the Governor. The fact that a report of the Judicial Compensation Commission was pending before each house of the Legislature had no effect on any advisory opinion issued by the Justices on those occasions and has no effect on the one issued pursuant to Senate Resolution No. 236.

All the Justices concur.

I, J. O. Sentell, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appears of record in said Court.

Witness my hand this 12th day of April, 1982.

J. O. SENTELL,
Clerk, Supreme Court of Alabama.

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

OCTOBER TERM, 1981-82

To the Members of the Senate
State Capitol
Montgomery, Alabama 36130

Gentlemen:

We are in receipt of Senate Resolution No. 236, requesting an advisory opinion of the Supreme Court and posing the following question:

"Have Senate Bill 4 and House Bill 161 been delivered to the Governor in accordance with the requirements of Section 125 of the Constitution, thereby starting the period of time during which the Governor has the right to consider a bill without its becoming a law independently of his signature?"

Section 125 of the Constitution states in pertinent part:

"Every bill which shall have passed both houses of the legislature, except as otherwise provided in this Constitution, shall be presented to the governor; if he approves, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, which shall enter the objections at large upon the journal and proceed to reconsider it. . . . If any bill shall not be returned by the governor within six days, Sunday excepted, after it shall have been presented, the same shall become a law in like manner as if he had signed it, unless the legislature, by its adjournment, prevent the return, in which case it shall not be a law; but when return is prevented by recess, such bill must be returned to the house in which it originated within two days after the reassembling, otherwise it shall become a law, but bills presented to the

governor within five days before the final adjournment of the legislature may be approved by the governor at any time within ten days after such adjournment, and if approved and deposited with the secretary of state within that time shall become law."

In determining the circumstances relating to the presentment of Senate Bill 4 and House Bill 161, we are limited to the facts as revealed by the Senate journal. It shows that Senate Bill 4 and House Bill 161 received the approval of both houses of the legislature and were signed by the presiding officers of both houses on Thursday, April 8, 1982.

The journal also contains a communication from the enrolling and engrossing clerk of the Senate which states:

"At 11:45 A.M., on Thursday, April 8, I attempted to deliver Senate Bills 28, 307, 356, 397, 454, 482, 493, and Senate Joint Resolutions 179, 195, 198, 211, 216, and 223 to the Governor's Recording Secretary in the basement office. I was accompanied by Angie Stevenson, photographer. The door to the office was locked, the blinds drawn, and the lights were out. At 12:00 Noon, accompanied by Senator Earl Goodwin, we attempted to deliver same to the Governor's Office on the first floor. The same conditions prevailed. At 12:01 P.M. the Senator and I attempted to deliver same to the Recording Secretary in the basement and encountered the same conditions.

"At 3:15 P.M., accompanied by Senator McDonald, Senator Gullledge, Representative Manley and members of the news media, we attempted to deliver Senate Bill 4 to every door to the Governor's Offices on the first floor and the basement. The same conditions prevailed.

"Ann S. Worthington
"Enrolling and Engrossing
"Clerk
"Senate of Alabama

"The foregoing communication was read and ordered spread upon the Journal." The journal entry, by universal rule, must be accepted by this Court, which has no authority to go beyond the legislative journals. *Cam-mack v. Harris*, 234 Ky. 846, 29 S.W.2d 567 (1930).

However, we can take judicial notice that Thursday, April 8, 1982, was not a state holiday and had not been proclaimed such by the Governor. Also, we note that the times mentioned by the enrolling and engrossing clerk were all within the normal business hours of the state.

Your inquiry, therefore, is whether the bona fide effort by a duly authorized clerk of the Senate to present a bill at the office of the Governor, during regular business hours, constitutes a presentation within the meaning of § 125, even if the effort fails because the doors are closed and locked.*

In 1950, in *Building Commission v. Jordan*, 254 Ala. 433, 48 So. 2d 565 (1950), the Supreme Court was faced with a situation where a duly authorized clerk tried to deliver a bill after the Governor's office had closed for the day.

* The Senate journal entry set out above makes reference to Senate Bill 4 as having been sent to the Governor's office; it makes no reference to House Bill 161. Therefore, we could answer the particular inquiry only as to Senate Bill 4. However, our restatement of the question will allow an answer which can be applied in the case of either bill.

While the Court determined that the Governor had not deliberately evaded the receipt of the bill, the Court by implication did indicate that deliberate acts on the part of the Governor, or those authorized by him to receive bills from the legislature, to avoid presentation would constitute constructive presentation within the meaning of § 125 of the Constitution if a bona fide effort was made to actually deliver a bill.

This reasoning is consistent with the earlier decision of State, ex rel. Crenshaw v. Joseph, 175 Ala. 579, 57 So. 942 (1911), at page 588, in which the Court, in examining the Louisiana case of State, ex rel. State Pharmaceutical Association v. Michel, 52 La. Ann. 936, 27 So. 565 (1900), noted with approval the holding of the Louisiana Supreme Court to the effect that a valid presentation was effected where an authorized clerk attempted to deliver the bill, but the Governor refused to accept it.

Whether the Governor actually refused to accept a bill or whether the closing of his office was a deliberate attempt of evasion is immaterial here. The Senate journal entry establishes without contradiction that an actual, physical presentment of the bill was impossible because, for whatever reasons, the Governor was not present, his office was closed, and no one with authority to receive bills in his behalf was found.

Although nothing in the Constitution prevents the Governor from fixing his office hours as he wishes, he cannot thereby thwart the constitutional process by which legislation becomes law. "Presentment" to the Governor of bills is a constitutional requirement in this process and, because it is, an important constitutional issue is presented by the request for our advisory opinion. Under the circumstances reflected by the Senate journal, we hold that the Senate's attempt was a presentment in a constitutional sense, and the fact that the offices were closed did not render ineffective this presentment.

To hold otherwise would give the Governor the power to control the presentment of bills to him, thereby undermining the intent of that portion of § 125 of the Constitution, which reads:

"If any bill shall not be returned by the governor within six days, Sunday excepted, after it shall have been presented, the same shall become a law in like manner as if he had signed it, unless the legislature, by its adjournment, prevent the return, in which case it shall not be a law. . . ."

This sentence mandates that the Governor must act, in the use of his veto power, not within six days of his actual reception of a bill, but within six days of its presentment to him. If it were the former, the Governor might wait until within six days of the adjournment of the legislature to receive the bill, thereby preventing its return due to the adjournment and, thus, defeating its becoming a law, or return it with a veto message just prior to adjournment, thereby preventing action on the veto by the two houses. Either of these actions would effectively prevent the legislature's having the final action on the bill as was intended by the Constitution.

For the presentment to be fulfilled, i.e., the formal offer or tender of the bill to the Governor, there is no requirement that he actually receive it. From that moment of formal tender, the clock begins to run and he must act, if he intends to veto, within the prescribed six days.

Your inquiry, as restated, is answered in the affirmative.

Respectfully submitted,

C. C. TORBERT, JR.,
Chief Justice.

HUGH MADDOX,

RENEAU P. ALMON,

JANIE L. SHORES,

T. ERIC EMBRY,

SAM A. BEATTY,
Associate Justices.

OPINION RENDERED

The foregoing Communication from the Supreme Court of Alabama was read and ordered spread upon the Journal.

RULE 50(4) SUSPENDED

On motion of Mr. Smith, the provisions of Rule 50(4) were suspended to allow fourteen members on the Standing Committee on Governmental Affairs, in order that Mr. Teague (B) could be appointed to said Committee.

Whereupon, the President and Presiding Officer of the Senate appointed Mr. Teague (B) to the Standing Committee on Governmental Affairs.

BILL RE-REFERRED

Mr. Vacca moved that the Bill, H. B. 96, be removed from the Standing Committee on Local Legislation No. 2 and re-referred to another Committee, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 96, re-referred to the Standing Committee on Governmental Affairs.

RESOLUTIONS

Mr. Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 240. DECLARING THE WEEK OF MAY 30-JUNE 5, 1982
"ALABAMA POULTRY WEEK"

WHEREAS, the poultry industry in Alabama is the largest farm industry in the state, totalling more than \$700 million annually and accounting for over 30% of the total agriculture income in Alabama; and

WHEREAS, Alabama ranks third in the nation in the production of broilers and sixth in the production of eggs; and

WHEREAS, Cliff Clegg, Jr. of Heflin, Alabama has served as Chairman of the Board of the Alabama Poultry and Egg Association with dedication, honor and utmost ethical standards; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the week of May 30-June 5, 1982 is hereby declared "Alabama Poultry Week".

On motion of Mr. Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Miller, Bailey, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullede, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Vacca, Weeks and White offered the following Senate Joint Resolution, to-wit:

S. J. R. 241. MOURNING THE DEATH OF DOCTOR EMMETT T. BRUNSON, PROMINENT ENTERPRISE PHYSICIAN AND A DISTINGUISHED ALABAMIAN.

WHEREAS, the Legislature of Alabama has been grievously saddened by the death of Doctor Emmett T. Brunson of Enterprise, Alabama, on March 30, 1982; and

WHEREAS, Dr. Brunson, the son of Emmett Treadwell and Foye Thomas Brunson, was, as his father before him, a truly gifted physician beloved of the thousands of patients he treated with skill and kindness and in greatest compassion for their pain and suffering; and

WHEREAS, eminently qualified, Dr. Brunson received both his B.S. and M.D. Degrees from Atlanta's Emory University; his internship, completed at University Hospital in Birmingham, was followed by a 3-year residency in Internal Medicine, also at University Hospital, and by a two-year tour of duty with the United States Air Force; and

WHEREAS, Dr. Brunson's first medical association in Enterprise was with Gibson Hospital in 1956, in service as an extern; he joined the staff in 1963 and later occupied the new office and clinical facilities of Enterprise Medical Clinic; he was a member of the Coffee County, Alabama and American Medical Association, a trustee of the E. L. Gibson Foundation and had served as Chief of Staff of Enterprise Medical Clinic and Coffee General Hospital, and on the staffs of the Enterprise Hospital and Nursing Home as well; and

WHEREAS, a deacon and member of the adult choir of the First Baptist Church, Dr. Brunson had further been civically involved as a member of the boards of directors of Southland Broilers, Elba Exchange Bank and National Security Insurance Company; and

WHEREAS, Dr. Emmett Brunson, who once served the Legislature as physician of the day, lived a life of dignity and one of love and compassion for his family and fellowman; his life was exemplary in its service to others and his beloved Enterprise is a community made better by his presence; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That though we grievously mourn the death of Dr. Emmett Brunson of Enterprise, Alabama, we also give thanks for his having lived; we further extend our most heartfelt sympathy to his wife, Mrs. Jackie Brunson, to their two sons, Emmett and Eric, their daughter, Beth, and other family members to whom a copy of this resolution shall be sent.

On motion of Mr. Miller, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Little offered the following Senate Resolution, to-wit:

S. R. 242. CONGRATULATING MRS. SELMA ELROD UPON HER RETIREMENT.

Which was adopted.

BILLS ON THIRD READING

The Bill:

S. 527. To amend subsection (e) of Section 14 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pages 717-739) which said Act No. 497 established a pension system for officers and employees of Jefferson County, which said Section 14 was last amended by Act No. 1060 of the Regular Session of the Legislature of Alabama of 1981.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	Proctor	
Bailey	Hall	McDonald	Smith	
Britnell	Hilliard	Miller	Taylor	
Callanah	Holmes	Mitchem	Vacca	
Cook	Keener	Parsons	Weeks	
Denton	Lemaster	Pearson	White	
Figures	Little			—25

Nays: —0

The Bill:

H. 408. Relating to Jefferson County; to provide certain health benefits to members of the General Retirement System for Employees of Jefferson County who have retired on a superannuation or disability until said member reaches eligibility for Medicare and/or Medicaid, and to provide for the funding of said benefits.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	Proctor	
Bailey	Hall	McDonald	Smith	
Britnell	Hilliard	Miller	Taylor	
Callahan	Holmes	Mitchem	Vacca	
Cook	Keener	Parsons	Weeks	
Denton	Lemaster	Pearson	White	
Figures	Little			—25

Nays: —0

The Bill:

H. 580. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	Proctor
Bailey	Hall	McDonald	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Denton	Lemaster	Pearson	White
Figures	Little		

—25

Nays: —0

The Bill:

S. 534. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	Proctor
Bailey	Hall	McDonald	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Denton	Lemaster	Pearson	White
Figures	Little		

—25

Nays: —0

The Bill:

S. 532. Relating to Barbour County; to provide further for the expense allowance of the coroner.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Figures	Holmes	Martin
Bailey	Goodwin	Keener	Miller
Callahan	Gulledge	Kirkland	Mitchem
Cook	Hall	Lemaster	Parsons
Denton	Higginbotham	Little	Pearson

Proctor	Taylor	Teague (J)	Weeks	
Smith	Teague (B)			—25
Nays:				—0

The Bill:

S. 536. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Madison in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises, and providing for penalties.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Proctor	
Bailey	Gulledge	Little	Smith	
Britnell	Hall	McDonald	Taylor	
Callahan	Harrison	Mitchem	Vacca	
Cook	Hilliard	Parsons	Weeks	
Denton	Holmes	Pearson	White	
Figures	Keener			—25
Nays:				—0

RULE 35 SUSPENDED

On motion of Mr. White, Rule 35 was suspended to allow transmittal to the House of the above Senate Local Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 718. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Britnell	Denton	Goodwin
Bailey	Cook	Figures	Gulledge

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Hall	Lemaster	Parsons	Taylor	
Hilliard	Little	Pearson	Teague (J)	
Holmes	Martin	Proctor	Weeks	
Keener	Miller	Smith	White	
Kirkland	Mitchem			—25

Nays: —0

The Bill:

H. 733. To provide for a certain increase in court costs in the Wilcox County division of the Fourth Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Wilcox County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John	
Bailey	Harrison	Miller	Taylor	
Britnell	Hilliard	Mitchem	Teague (J)	
Cook	Holmes	Parsons	Vacca	
Denton	Keener	Pearson	Weeks	
Figures	Kirkland	Proctor	White	
Goodwin	Little			—25

Nays: —0

The Bill:

H. 734. To propose a constitutional amendment regarding the altering of costs and charges of courts in Wilcox County.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor	
Bailey	Hall	Martin	St. John	
Britnell	Hilliard	Miller	Taylor	
Callahan	Holmes	Mitchem	Vacca	
Cook	Keener	Parsons	Weeks	
Denton	Kirkland	Pearson	White	
Figures	Lemaster			—25

Nays: —0

The Bill:

H. 736. To further provide for the administration of absentee voting in Clay County, except during municipal elections.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	McDonald	St. John	
Bailey	Hall	Miller	Smith	
Britnell	Holmes	Mitchem	Taylor	
Cook	Kirkland	Parsons	Vacca	
Denton	Lemaster	Pearson	Weeks	
Figures	Little	Proctor	White	
Goodwin	Martin			—25

Nays: —0

The Bill:

H. 741. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Lamar County, Alabama.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John	
Britnell	Hilliard	Miller	Smith	
Cook	Holmes	Mitchem	Taylor	
Denton	Keener	Parsons	Vacca	
Figures	Kirkland	Pearson	Weeks	
Goodwin	Lemaster	Proctor	White	
Gulledge	Little			—25

Nays: —0

The Bill:

H. 742. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Fayette County, Alabama.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John	
Britnell	Hilliard	Miller	Smith	
Cook	Holmes	Mitchem	Taylor	
Denton	Keener	Parsons	Vacca	
Figures	Kirkland	Pearson	Weeks	
Goodwin	Lemaster	Proctor	White	
Gulledge	Little			—25

Nays: —0

The Bill:

H. 760. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to change the charges and costs of court in Pickens County and to place certain officials on salary or otherwise change the methods or basis of compensation and disposition of the charges or changes in court costs.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Robertson
Bailey	Gulledge	Martin	Smith
Britnell	Hall	Miller	Taylor
Callahan	Hilliard	Mitchem	Vacca
Cook	Holmes	Parsons	Weeks
Denton	Keener	Pearson	White
Figures	Kirkland		

—25

Nays:

—0

REPORT OF CONFERENCE COMMITTEE ON S. 89

We, the Committee on Conference appointed to reconcile the differences of the two houses concerning Senate Bill No. 89 have met in conference and have agreed to accept the attached substitute.

EARL HILLIARD,

J. RICHMOND PEARSON,

MAC PARSONS,

Conferees on the part of the Senate.

SUNDR A ESCOTT,

HOYT W. TRAMMELL,

ASBURY HOWARD,

Conferees on the part of the House.

April 8, 1982

CONFERENCE COMMITTEE SUBSTITUTE FOR S. 89

A BILL TO BE ENTITLED AN ACT

To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for six members of the Mayor's staff not subject to any merit system, and to provide how the maximum salary of such staff assistants shall be determined by the Mayor, and for the protection of salary and other rights of merit system employees appointed hereunder, and for the inclusion of appointees in the general pension system of the municipality upon application for such membership within thirty (30) days of appointment.

Be It Enacted by the Legislature of Alabama:

Section I. That Section 4.06(9) of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, be and said Section 4.06(9) is hereby amended to read as follows:

"4.06(9) Employ as members of his staff as many as six (6) persons for and on behalf of said city to assist the Mayor and perform such duties relating to the Mayor as the Mayor may assign. Each such employee shall serve at the pleasure of the Mayor at such compensation as the Mayor may set provided the salary paid shall not exceed \$27,000.00. Such staff members shall not be under any merit or civil service system, but, should a member of the classified service under any merit or civil service system applicable to the city be appointed hereunder, the provisions of this section notwithstanding, he may be paid at the salary established for his classification at the time of appointment and such person shall not lose any rights under such merit or civil service system by reason of his appointment hereunder, and shall, upon termination of service on the Mayor's staff, have the right to return to the classified service, with full credit for time served on the Mayor's staff, at the same or higher classification as that held upon appointment hereunder. Each such employee shall by reason of such employment become a member of the pension system covering the general employees of the city, if there be such a system, to the same extent and in the same manner as other general employees of the city, provided such employee apply to the board or other authority administering such pension system within thirty (30) days of appointment; otherwise, such employee shall not be a member of the system. This section shall not limit the authority of the Mayor to appoint other staff under the merit system or as otherwise authorized by law."

Section II. No person employed in one of these positions shall run for elected office while so employed.

Section III. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Parsons, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 89. To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for six members of the Mayor's staff not subject to any merit system, and to provide how the maximum salary of such staff assistants shall be determined by the Mayor, and for the protection of salary and other rights of merit system employees appointed hereunder, and for the inclusion of appointees in the general pension system of the municipality upon application for such membership within thirty (30) days of appointment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Hall	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Denton	Kirkland	Pearson	White.
Figures	Lemaster		

—25

Nays:

—0

RESOLUTION

Messrs. Little and Kirkland offered the following Senate Joint Resolution, to-wit:

S. J. R. 243. URGING THE AUBURN BOARD OF TRUSTEES TO CONSIDER NAMING A BUILDING ON CAMPUS FOR ROBERT BRYANT STRONG.

WHEREAS, this body notes with great sadness the tragic death of Mr. Robert Bryant Strong of Auburn, Alabama, on April 6, 1982; and

WHEREAS, we wish to honor the memory of this gentleman who so generously served his community of Auburn and Auburn University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully urge the Board of Trustees of Auburn University to consider naming, or jointly naming, a building on the Auburn campus, particularly the existing Mary Martin Hall, for Mr. Robert Bryant Strong in order to honor his memory.

FURTHER RESOLVED, That a copy of this resolution be sent to each member of the Board of Trustees of Auburn University.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

CONFERENCE COMMITTEE REPORT ON S. 129

We, the Committee on Conference appointed to reconcile the difference between the two Houses concerning Senate Bill 129, have met, considered the matter, and agreed to the following report.

We recommend that the Senate and the House of Representatives adopt the attached Conference Committee Substitute.

CHARLES WHATLEY,

SETH HAMMETT,

RICHARD S. "Rick" MANLEY,

Conferees on the part of the House.

MAC PARSONS,

RYAN deGRAFFENRIED, JR.,

LARRY H. KEENER,

Conferees on the part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR S. 129

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Licensing Board For General Contractors as provided in Section 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-4 so as to: delete the

requirement that at least 80 percent of the first job of a newly licensed contractor be satisfactorily performed before performing work beyond that contract; change the time within which charges must be heard and to change the place of the hearing.

Be It Enacted by the Legislature of Alabama:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Section 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of the Licensing Board for General Contractors, and voted to recommend the continuance of the board created and functioning pursuant to Sections 34-8-1 through 34-8-27, Code of Alabama 1975, with the additional recommendations for statutory changes of the board as set out in Section 4 hereof.

Section 2. The Legislature concurs in the recommendation of the Sunset Committee provided in Section 1 of this Act.

Section 3. The existence and functioning of the Licensing Board For General Contractors, created and functioning pursuant to Sections 34-8-1 through 34-8-27 of the Code of Alabama 1975 are hereby continued.

Section 4. Sections 34-8-2 and 34-8-4 of the Code of Alabama 1975 are hereby amended to read as follows:

"Section 34-8-2.

"(a) Any person desiring to be licensed or desiring a renewal of an existing license as a general contractor in this state shall make and file with the board, not less than 30 days prior to any regular or special meeting thereof, a written application on such form as may then be by the board prescribed for examination by the board, which application shall be accompanied by \$200.00 for a new application or \$100.00 in case of a renewal. The applicant shall apply for a license covering the type or types of contracts on which he wishes to perform, and the board shall classify contractors according to the type or types of contracts on which they may perform, within maximum bid limits, on the following basis: the applicant's request, his last annual financial statement, prepared by a certified public accountant (C.P.A.), or by any independent licensed public accountant approved by the licensing board for general contractors, his previous experience, equipment and the facts in each case. An applicant shall not be so classified as to permit him to bid on or to perform a type of work not included in his request for a license. If the application is satisfactory to the board, then the applicant may be required to take an examination to determine his qualifications. If the result of the examination of the applicant is satisfactory to the board, the board shall then issue to the applicant a certificate to engage in general contracting in the state of Alabama, stipulating in each license issued the type or types of work the contractor is permitted to bid on or to perform under his license, and also setting out a letter symbol indicating the maximum limits on which he is permitted to bid or to perform in a single contract. The maximum bid limits shall be set by the formula of not more than 10 times the net worth as shown by the applicant's latest financial statement and designated in the classification set out herein that is the closest to this amount. Should the applicant's financial statement fail to substantiate the limits requested, further consideration may be given to (1) the present market value in lieu of book value of listed assets when properly supported with

substantiating evidence; and (2) a combined statement of the applicant that includes other wholly owned or substantially owned interests. When an applicant's statement qualifies for an amount in excess of classification 'E,' the limits shall then be set as classification 'U'—Unlimited. The following letter symbols indicate the maximum amount bid limits allowed a licensee on any one single contract undertaking:

A	Not to exceed	\$ 100,000.00
B	Not to exceed	250,000.00
C	Not to exceed	500,000.00
D	Not to exceed	1,000,000.00
E	Not to exceed	3,000,000.00
U	Unlimited	

"(b) Any person failing to pass such examination may be reexamined at any regular or call meeting of the board. The certificate of authority to engage in the business of general contracting in the state of Alabama shall expire on December 31 following its issuance or renewal and shall become invalid on that date unless renewed. Upon the renewal of a license, the board shall reclassify or confirm the license both as to the types of work and bid limits as specified in this section. A licensee may apply for and, on proof satisfactory to the board, may receive an increase in the amount of his bid limit or a change in his classification. Application for renewal of a license, together with the payment of a fee of \$100.00, received by the board at least 30 days prior to expiration, shall serve to extend the current license until the board either renews the license or denies the application. Each newly licensed contractor performing work for the first time shall not be allowed to perform work beyond one contract under this license until evidence has been furnished satisfactory to the board that at least 80 percent of the first job has been satisfactorily performed. At the discretion of the board, a limited license may be issued for a particular project.

"Section 34-8-4.

"The board shall have the power to revoke the certificate of license of any general contractor licensed hereunder who is found guilty of any fraud or deceit in obtaining a license or gross negligence, incompetence or misconduct in the conduct of business. Any person may prefer charges of such fraud, deceit, negligence or misconduct against any general contractor licensed hereunder. Such charges shall be in writing and sworn to by the complainant and submitted to the board. Such charges, unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within 90 days after the date on which they were preferred. A time and place for such hearing shall be fixed by the board and held in the county in which said charges originated. The hearing shall be held at the office of the State Licensing Board For General Contractors in Montgomery, Alabama. A copy of the charges, together with the notice of the time and place of hearing, shall be legally served on the accused by the secretary of the board, any sheriff in the state or by registered or certified mail, at least 10 days before the fixed date for the hearing; and, in the event that such service cannot be effected 10 days before such hearing, then the date of hearing and determination shall be postponed as may be necessary to permit the carrying out of this condition. At said hearing the accused shall have the right to appear personally and by counsel and to cross-examine witnesses against him, her or them and to produce evidence of witnesses in his, her or their defense. If after said

hearing the board votes in favor of finding the accused guilty, the board shall revoke the license of the accused. The board may reissue a license to any person, firm or corporation whose license has been revoked. The board shall immediately notify the secretary of state and the clerk of each incorporated city, town or county in the state of its findings in the case of the revocation or of the reissuance of a revoked license. A certificate of license to replace any certificate lost, destroyed or mutilated may be issued subject to the rules and regulations of the board."

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. deGraffenried, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 129. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Licensing Board For General Contractors as provided in Section 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-4 so as to: change the time within which charges must be heard; and to change the place of the hearing.

Yeas 14; Nays 0.

Yeas:

Messrs.:
Britnell
deGraffenried
Denton

Goodwin
Higginbotham
Keener
Kirkland

Lemaster
Miller
Mitchem
Parsons

Smith
Taylor
Vacca

—14

Nays:

—0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 226. MEMORIALIZING CONGRESS TO REINSTATE THE BURIAL ALLOWANCE AFFORDED CERTAIN VETERANS.

Also:

S. J. R. 227. MEMORIALIZING THE CONGRESSIONAL DELEGATION OF THE STATE OF ALABAMA TO OPPOSE ANY CURTAILMENT OF MEDICAL CARE FOR VETERANS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 91. Relating to Class I municipalities, and any municipality having a population of 250,000 or more according to the last or any subsequent federal decennial census, to authorize the Mayor of any such municipality in this state to employ for and on behalf of said municipality a Chief Administrative Assistant to the Mayor, to provide how the maximum salary of the Chief Administrative Assistant shall be determined by the Mayor, to preserve salary and merit system rights of classified employees appointed to the Mayor's staff, and to provide that such employee shall not be subject to any merit system while serving on the Mayor's staff but shall be a member of any pension system applicable to merit system employees, provided application for such membership be made within thirty (30) days of appointment.

Also:

S. 484. Relating to Escambia County; providing supplemental fee allowances for constables; and providing for additional court costs.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 55. Relating to Walker County; to provide that certain telephone calls that originate and terminate in Walker County shall be charged as local calls; granting the Public Service Commission the power to promulgate rules and regulations to implement the provisions of this Act; and providing exemptions from the provisions of this Act for certain Walker County residents.

said Conference Report being in words and figures as follows:

CONFERENCE COMMITTEE REPORT FOR H. B. 55

We, the committee of conference appointed to reconcile the disagreement between the two houses concerning H. B. 55, have met, considered the matter and agreed to the following report.

We recommend that both houses adopt the attached Conference Committee Substitute to H. B. 55 which said substitute is made a part hereof by reference as if fully set out herein.

FINIS ST. JOHN,

BOB HALL,

LARRY H. KEENER,

Conferees on the part of the Senate.

CARL C. BRAKEFIELD,

WALTER OWENS,

ALVIS NARAMORE,

Conferees on the part of the House.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. 55

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; to provide that all telephone calls that originate and terminate in Walker County, except those to and from telephones served by an exchange in Jefferson County, shall be charged as local calls; to provide that all costs of such service be borne by the telephone subscribers in Walker County affected by the service, to provide the procedures for the Public Service Commission and the telephone companies to follow in implementing the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Except as provided in Section 2 and subject to the provisions in Section 3 through 5 hereof, all telephone calls that originate and terminate within Walker County shall be charged as local calls.

Section 2. It is further provided that the provisions of this act shall not apply to telephones in Walker County which are served by an exchange located in Jefferson County.

Section 3. Telephone companies serving the telephones in the Walker County exchanges affected by this act shall be made whole for all additional expenses and revenue losses resulting from the implementation of this act. This make whole requirement shall include, but not be limited to, all capital expenditures, all loss of toll revenues, all expenses incurred in the study to determine the costs for providing this service, all costs of customer notice and all direct and indirect costs incurred in the provision of this service.

Section 4. No rates for any subscribers, other than those for the subscribers in Walker County affected by this Act, shall be raised as a result of the implementation of this act.

Section 5. The Alabama Public Service Commission shall within 120 days of the effective date of this act in accordance with its existing rules and procedures determine the new rates to be charged the Walker County subscribers affected by this act.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. St. John, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 55, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	Proctor
Bailey	Hall	McDonald	St. John
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Denton	Kirkland	Pearson	White
Figures	Little		

—25

Nays:

—0

RESOLUTIONS

Mr. Pearson offered the following Senate Resolution, to-wit:

S. R. 244. COMMENDING CRIMSON TIDE BASKETBALL STAR, EDDIE PHILLIPS, OF BIRMINGHAM, ALABAMA.

Which was adopted.

Mr. Pearson then offered the following Senate Joint Resolution, to-wit:

S. J. R. 245. COMMENDING CRIMSON TIDE BASKETBALL STAR, EDDIE PHILLIPS, OF BIRMINGHAM, ALABAMA.

WHEREAS, Mr. Eddie Phillips of Birmingham, Alabama, one of the finest all-round scholars, athletes and gentlemen ever to graduate from Parker High School, played for the Alabama Crimson Tide where he compiled a phenomenal basketball record; and

WHEREAS, first named SEC Freshman of the Year in 1979, he was then three times selected to the All-SEC Team, led the Southeastern Conference in rebounds in 1981, and was named to the 1982 All-Tournament Team; and,

WHEREAS, he also tied the University's record by starting in 121 games, was the all-time second leading scorer for the Tide with 1937 points, and led the team for three years in scoring and rebounding; and

WHEREAS, Eddie Philips, who averaged 15.9 points and 9.3 rebounds per game, scored in double figures 50 times during his collegiate career; he further scored the winning basket in Alabama's 1982 win over Kentucky and his career high of 32 points was achieved during this past season's triumph over LSU; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Mr. Eddie Phillips of Birmingham, Alabama, as one of our state's most outstanding athletes and direct that he receive a copy of this resolution in declaration of our sincere regard and in expression of our warm best wishes for every continued success.

On motion of Mr. Pearson, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 761. Relating to Pickens County; providing for an increase in court costs and providing for the disposition of the proceeds from such increase; and providing for the conditions upon which the provisions of this act shall become effective.

was read a third time at length and passed.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Hall	Martin	Smith
Britnell	Hilliard	Miller	Tylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Denton	Kirkland	Pearson	White
Figures	Lemaster		

—25

Nay: Mr. Robertson.

—1

The Bill:

H. 762. Relating to Pickens County; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the county revenue commissioner to the probate judge requiring an additional bond of the probate judge; providing for the payment of fees and commissions to the probate judge of the county, the distribution of the taxes to municipalities and the state, and the payment of commissions to the judge of probate; and defining terms.

was read a third time at length and passed.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Gulledge	Martin	Smith
Britnell	Hall	McDonald	Taylor
Callahan	Holmes	Miller	Vacca
Cook	Keener	Parsons	Weeks
Denton	Kirkland	Pearson	White
Figures	Lemaster		

—25

Nay: Mr. Robertson.

—1

REGULAR SESSION
27th Day

1351

The Bill:

H. 765. Relating to Perry County; providing for an expense allowance for members of the board of education and repealing Act No. 187, S. 134, 1971 2nd Special Session, (Acts 1971, p. 4448).

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Parsons	Vacca
Cook	Keener	Pearson	Weeks
Denton	Kirkland	Proctor	White
Figures	Lemaster		
			—25

Nays: —0

The Bill:

H. 767. Relating to Lawrence County; to rearrange the boundaries of the City of Moulton, so as to exclude from the corporate limits of said city certain territory within such limits.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	St. John
Bailey	Gulledge	Miller	Smith
Britnell	Hall	Mitchem	Taylor
Callahan	Holmes	Parsons	Vacca
Cook	Keener	Pearson	Weeks
Denton	Kirkland	Proctor	White
Figures	Little		
			—25

Nays: —0

The Bill:

H. 771. To amend Section 1 of Act No. 312, H. 461 of the 1973 Regular Session of the Legislature (Acts 1973, p. 443), relating to branch banking in Marion County, Alabama, so as to provide that any bank in Marion County shall be permitted to branch into any municipality in the county that does not presently have banking facilities.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John
Britnell	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Vacca
Figures	Lemaster	Pearson	Weeks
Goodwin	Little	Proctor	White
Hall	Martin		
			—25

Nays:

—0

The Bill:

H. 774. To provide the sheriff's department of Baldwin County with a specific number of employees, establish the rate of compensation for said employees and provide training of such employees.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Proctor
Bailey	Hilliard	McDonald	Smith
Britnell	Holmes	Miller	Taylor
Callahan	Keener	Mitchem	Vacca
Cook	Kirkland	Parsons	Weeks
Denton	Lemaster	Pearson	White
Figures	Little		

—25

Nays:

—0

The Bill:

H. 775. Relating to Baldwin County; to authorize the county commission, in its discretion, to appropriate funds from the county general fund to be expended by the sheriff to conduct investigations and to enforce the laws relating to the possession and sale of drugs and controlled substances.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Proctor
Bailey	Hilliard	McDonald	Smith
Britnell	Holmes	Miller	Taylor
Callahan	Keener	Mitchem	Vacca
Cook	Kirkland	Parsons	Weeks
Denton	Lemaster	Pearson	White
Figures	Little		

—25

Nays:

—0

The Bill:

H. 706. To Authorize and make provision for the incorporation in the City of Dothan of the Dothan Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Dothan; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial

enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such

Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 706, to-wit:

COMMITTEE AMENDMENT TO H. B. 706

H. B. 706 is hereby amended to add a synopsis to read as follows:

SYNOPSIS: To provide for the establishment of the Dothan Downtown Redevelopment Authority, to prescribe the procedures for incorporation of the Authority, election of directors and other matters and to establish its powers and functions.

The title to H. B. 706 is hereby amended, on Page 3, Line 33 to change the period after the word "election" to a semicolon and to insert the following:

"To require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds."

H. B. 706 is hereby amended, in Section 8, Page 10, Line 14 by adding the following new sentences at the end:

"Prior to receipt by the Authority of any tax revenues from the City, any county, state or federal governments, the treasurer of the Authority shall provide evidence to the governmental entity from which the funds are to be received of procurement of a fidelity bond in an amount equal to or greater than the amount of tax funds to be received and that the company issuing the bond is qualified to issue fidelity bonds in the State of Alabama."

H. B. 706 is hereby amended, in Section 17, Page 20, Line 15 by changing the period appearing after the word "amended" to a semicolon and inserting thereafter the following:

"Provided, however, that the Authority shall comply with the laws of the State of Alabama requiring competitive bids for any contract made by it to be paid for with tax revenues received from the City, any county or the state or federal governments."

H. B. 706 is hereby amended, in Section 18, Page 20, Line 26 to insert the following sentences at the end:

"The Authority shall hold a public hearing before approving or obligating the expenditure of any tax revenues received by the Authority from the City, any county, the state or federal governments. Such notice shall be advertised in a newspaper of general circulation in Houston County, Alabama and the notice shall be published not less than seven days prior to the hearing."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Proctor
Bailey	Gulledge	Little	Smith
Callahan	Hall	Martin	Taylor
Cook	Hilliard	Miller	Vacca
deGraffenried	Holmes	Parsons	Weeks
Denton	Keener	Pearson	White
Figures	Kirkland		

—25

Nays: —0

And said Bill, H. B. 706, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Proctor
Bailey	Gulledge	Little	Smith
Callahan	Hall	Martin	Taylor
Cook	Hilliard	Miller	Vacca
deGraffenried	Holmes	Parsons	Weeks
Denton	Keener	Pearson	White
Figures	Kirkland		

—25

Nays: —0

RESOLUTIONS

Messrs. Lemaster and Bailey offered the following Senate Joint Resolution, to-wit:

S. J. R. 246. REQUESTING THE STATE DEPARTMENT OF REVENUE TO IMMEDIATELY CEASE COLLECTION OF STATE SALES TAX ON FEES CHARGED BY PUBLIC GOLF COURSES.

WHEREAS, the Alabama State Department of Revenue currently is collecting a sales tax on such fees as membership dues and cart rentals charged by certain public golf courses in Alabama: and

WHEREAS, these taxes are being collected despite the fact that a sales tax is not being collected on the membership dues and cart rental fees charged by private courses in the state; and

WHEREAS, there is now a case pending within the Alabama Court System to adjudicate this matter; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby call upon the Department of Revenue of the State of Alabama to immediately cease collection of state sales tax now being charged on the membership dues and cart rental fees at public golf courses until such time that a judicial decision has been rendered on this question pending in the court.

BE IT FURTHER RESOLVED, That by copy of this resolution the Secretary of the Senate is directed to inform the Director of the State Revenue Department of this directive of the Legislature.

On motion of Mr. Lemaster, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Proctor offered the following Senate Resolution, to-wit:

S. R. 247. COMMENDING 1981 ALL-AMERICAN JON HAND OF SYLACAUGA HIGH SCHOOL.

Which was adopted.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to appointments to the Board of Trustees for the University of South Alabama.

Respectfully submitted,

BOB A. DAVIS,
State Administrations Officer.

Done this 13th day of April, 1982.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following:

Mr. Ed Dannelly (reappointed)
600 3rd St.
Andalusia, Alabama 36420
Term expires September 30, 1993

Mr. Phil Forrester (replaced Gillis Griffin)
P. O. Box 2062
Dothan, Alabama 36301
Term expires September 30, 1993

Mrs. Earl Goodwin (reappointed)
Route 4, Box 349
Selma, Alabama 36701
September 30, 1993

Mr. Aubrey Green (reappointed)
P. O. Drawer G
York, Alabama 36924
Term expires September 30, 1993

as members of the Board of Trustees of the University of South Alabama.

Respectfully,

FOB JAMES,
Governor.

Done this 13th day of April, 1982

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of the University of South Alabama, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Cosby:

H. 75. To amend section 41-16-51, Code of Alabama 1975, as amended, relating to competitive bids so as to exempt purchases of Local Housing Authorities organized under Chapter 1, Title 24, Code of Alabama 1975, from monies other than those raised by state, county or city taxation or received through appropriations from state, county or city sources.

By Reps. Cosby and Edwards:

H. 523. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses and other payments.

Mr. deGraffenried, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Bedsole and Zoghby:

H. 123. To amend Sections 6-5-351 and 6-5-391 of the Code of Alabama 1975, relating to the rights of a father, or in certain circumstances, a mother, in bringing an action for the seduction or wrongful death of his minor child, so as to provide that the legal guardian, individual or agency last having custody may bring such an action, and to provide for the distribution of any recoverable damages that may be awarded.

By Reps. Johnson (R. G.), Carothers, Shoemaker and Bedsole:

H. 362. Establishing the criminal offense of pharmacy robbery as a separate class of robbery under the criminal code of this state and prescribing certain penalties therefor.

By Rep. Amari:

H. 501. To amend Sections 26-2-1 and 26-2-45, Code of Alabama 1975, to provide that the courts may, in the exercise of their judicial discretion, appoint a "limited guardian" for a partially disabled person.

By Rep. Clark (G):

H. 755. To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

By Reps. Johnson (R. G.), Carothers, Roberts and Patton:

H. 100. To specifically prohibit the manufacture, distribution, possession, advertisement and sale to minors of "look alike" or imitation controlled substances; to establish definitions and penalties; to provide for seizure and forfeiture of such substances.

By Mr. Parsons:

S. 424. To amend Section 26-10-4, Code of Alabama 1975, relating to adoptions, so as to further regulate the opening by the state registrar of vital statistics of the sealed package, on file in his office, containing the original certificate of birth with the decree of the court, upon demand of an adopted child who has attained his majority or upon demand of the adopting parents.

By Mr. Higginbotham:

S. 524. To amend Section 20-2-23, Code of Alabama 1975, which provides for the listing of controlled substances, so as to include within schedule I, the substance methaqualone.

By Mr. Lemaster:

S. 547. To amend Section 13A-9-13.1 of the Criminal Code of Alabama, which relates to the crime of negotiating worthless negotiable instruments, so as to include the presentation or negotiation of a worthless negotiable instrument for the payment or repayment of a valid indebtedness as a crime under said section.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan:

S. 507. To provide that any member of the Judicial Retirement Fund serving as a circuit judge on June 1, 1982, may purchase credit for up to one year of service as a law clerk to the Supreme Court of Alabama; to provide a method of payment for said service and to provide a time limitation for compliance with provisions of this Act.

By Messrs. Denton and Britnell:

S. 289. To provide that any state employee who received a step increase limited under the provisions of Act 80-616, Regular Session 1980, shall be brought up to the normal step under the State Pay Plan.

Mr. Teague, Chairman of the Standing Committee on Commerce, Transportation, and Utilities reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Hammett:

H. 659. To add a Subsection 4 to Section 11-54-80 of the Code of Alabama of 1975, as amended, to include hydroelectric utility facilities in the definition of projects qualifying to be financed through Industrial Development Boards.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Campbell:

H. 10. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

By Reps. Daniels, Cates, Penry and Whatley:

H. 301. To amend Section 36-7-21, providing for out-of-state travel for State employees; to allow the Commissioner of Agriculture and Industries to approve out-of-state travel requests of persons representing the State Department of Agriculture and Industries.

By Rep. Waggoner:

H. 329. To amend Section 11-54-95 of the Code of Alabama 1975 so as to permit the filing of for record in the office of the judge of probate without the payment of any tax or fees (other than recording fees) not only any leases made by a municipal industrial development board but also any agreements or contracts of sale made by any such board and any deeds or other documents whereby properties are conveyed by any such board pursuant to a contractual obligation or as a result of the exercise of an option granted by such board, and so as to provide that such documents, as well as the others referred to in said Code section, may be so filed without the payment of any taxes or fees (other than recording fees) not only in the office of the judge of probate of the county in which such board is organized but also in the office of the judge of probate of any county in which any property involved is located.

By Rep. Roberts:

H. 373. To amend section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

By Rep. Riddick:

H. 474. To amend Section 15-9-2, Code of Alabama 1975, which relates to the authority of municipalities to offer rewards so as to increase the limit on such rewards from \$200.00 to \$3,000.00, and to further authorize such municipalities to honor any offers of reward not exceeding \$3,000.00 made prior to the effective date of this Act.

By Rep. Biddle, et al

H. 725. To withdraw from incorporated municipalities the power to enact an ordinance outlawing or taxing the possession or ownership of handguns.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Parsons:

S. 539. To authorize the Alabama State Board of Chiropractic Examiners to establish a preceptorship and extern program whereby chiropractic students enrolled in their last year at Board approved chiropractic

colleges accredited by the Council of Chiropractic Education and recent chiropractic graduates of such colleges may be issued a limited license to practice chiropractic under the direct on premises supervision of a sponsor licensed to practice chiropractic in the state of Alabama and, in the case of chiropractic students, under the direct supervision of the college; to provide that the limited license shall expire immediately upon the Board issuing the results of the first licensure examination after the limited licensee's graduation; to empower the Board to establish rules and regulations for the implementation of this act.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:
By Reps. Waggoner and Turnham (With Substitute):

H. 67. To require that persons who transport children under the age of three use a passenger restraint system in certain instances; to provide penalties for violation of the act.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Zoghby:

H. 133. To amend Section 21-7-4, Code of Alabama 1975, relating to the right of blind persons to be accompanied by a guide dog, so as to extend said right to persons using a hearing dog.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Minus (With Substitute):

H. 341. To amend the "Hazardous Waste Management Act of 1978," as amended, and as now appearing as Sections 22-30-1 through 22-30-24, Code of Alabama 1975, specifically amending Sections 22-30-12, 22-30-13, and 22-30-19 of the Code, so as to correct typographical errors and to clarify the penalties section of the Act; to define "criminal negligence" under the act and to further provide for the application of the penalties section to the storage facilities, all of which are necessary to comply with federal law and the rules and regulations formulated by the United States Environmental Protection Agency for the continued approval and funding of Alabama's hazardous waste management program in lieu of federal administration; to insure that hazardous waste shipped outside of the State of Alabama is transported to and disposed of in only those sites approved by either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency; and to ensure that the State Board of Health and the Division charged with responsibility for recommending approval or disapproval of hazardous waste site permit applications have sufficient time to make a complete and thorough review of the permit application prior to any approval of such application.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Johnson (R. G.) and Roberts:

H. 552. To authorize and provide for the incorporation by one or more counties or municipalities of the state of one or more health care authorities as public corporations to acquire, own and operate hospitals and other health care and related facilities within or without the boundaries of such counties or municipalities, or within or without the boundaries of the state; to provide for the making, filing, recording and amendment of the certificate of incorporation of each such authority; to provide for the government of each such authority by a board of directors and for the election, appointment, terms, compensation and removal of the members of such board of directors, and to provide for the holding of regular, special or other meetings of such board of directors without regard to the provisions of Section 13A-14-2 of the Code of Alabama 1975, as amended; to provide for the officers of such authority; to specify the general powers and duties of such authority and its board of directors; to empower such authority to acquire, operate, lease and manage hospitals and other types of health care facilities; to empower such authority to borrow money and to issue and sell interest-bearing securities and refunding securities, and to provide for the terms and conditions of the sale of such securities; to provide for the payment of and the security for such securities and for the use of the proceeds of such securities; to provide that such securities may be secured by a foreclosable mortgage on any health care facilities or other properties of such authority; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge made by such authority; to provide that such securities and other contracts entered into by such authority shall not constitute or create a debt of the state or any political subdivision thereof, and shall constitute negotiable instruments; to authorize the investment of certain funds of such authority; to provide for the creation of special reserves and other funds as may be necessary or desirable for the corporate purposes of such authority; to provide that the publication of a notice of the adoption of a resolution authorizing the issuance of securities by any such authority will establish a limited period after such publication within which must be commenced any action or proceeding questioning the validity of such securities or any instrument securing the same; to empower such authority to engage in anticompetitive activities within the contemplation of state and federal antitrust laws; to authorize such authority to make expenditures that would be considered ordinary and necessary expenses of such authority under state income tax law, subject to certain exceptions; to authorize investment by certain persons, corporations and political subdivisions in the securities of such authority; to exempt each such authority and the property, income, securities and certain conveyances and documents thereof from all taxation by the state or any political subdivision thereof; to exempt the gross proceeds of sales of property used in the construction of health care facilities for an authority from all sales and similar excise taxes in the state, and to exempt such property from all use and similar excise taxes in the state; to exempt each such authority from all laws of the state governing usury or prescribing or limiting interest rates and, together with the officers, employees, and members of the board of directors thereof, from certain laws pertaining to competitive bidding; to authorize such authority, if its certificate of incorporation so provides, to exercise the same power of eminent domain as that appertaining to its authorizing subdivision or subdivisions, subject to certain exceptions; to

authorize the designation of such authority as the agent of a county for certain public health purposes; to apply to such authority certain provisions of the Code of Alabama 1975, as amended, pertaining to tort claims and judgments against local governmental entities; to authorize, subject to certain conditions, such authority and any of its authorizing subdivisions to enter into leases covering projects of such authority and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by any such authorizing subdivision in any such lease shall be general obligations of such authorizing subdivision for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of such authorizing subdivision for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize such authorizing subdivisions to make special pledges of certain revenues and taxes as security for rentals payable and agreements to be performed by it under such lease; to provide the priority of any such special pledges; to authorize political subdivisions, and certain public hospital corporations and public agencies, authorities or bodies to convey to any health care authority, with or without consideration, any health care facilities and other property owned by them; to specify the effect of such conveyance on certain permits then held by such corporations, agencies, authorities or bodies; to provide that such authority and the directors, officers and employees thereof shall not be subject to the provisions of Chapter 25 of Title 36 of the Code of Alabama 1975, as amended; to provide that, in the event of any transfer of a health care facility to any such authority, certain taxes, tax proceeds or other revenues shall thereafter be paid to such authority, subject to certain restrictions; to provide for the disposition of the earnings of any such authority, its dissolution and the disposition thereupon of its assets and properties; to provide that certain public hospital corporations and public agencies, authorities or bodies may reincorporate as health care authorities hereunder and to provide for certain consequences or effects of such reincorporation; and to provide that any law requiring attachment of fiscal notes to certain bills shall not apply to this act.

By Reps. Moore, Smith (C) and Trammell:

H. 655. To amend Section 22-21-77 of the Code of Alabama 1975, as amended, relating to powers of county hospital corporations so as to provide further for such powers.

By Reps. Ward and Turnham:

H. 813. To amend Section 22-19-60 of the Code of Alabama 1975, relating to anatomical gifts by holders of drivers' licenses or nondriver identification cards, so as to require that the specific gift be indicated on the driver's license or nondriver identification card of the donor.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Denton:

S. 314. To amend Section 40-9-13, Code of Alabama 1975, which exempts certain named organizations from taxation, so as to add the Shoals Presbyterian Apartments, Inc., to the list of exempt organizations.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Figures (with notice and proof):

S. 235. Relating to the city of Chickasaw; providing, after notice is given, for the removal or demolition of buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; providing for a hearing by the governing body upon request; authorizing that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and providing a method of collecting such assessments.

By Messrs. Higginbotham and Little (with notice and proof):

S. 511. Relating to local sales and use taxes in Lee County, Alabama, and amending Act No. 81-553 enacted at the 1981 Regular Session of the Legislature of Alabama so as to provide further for the levy and collection of the special county privilege, license and excise taxes authorized by said Act No. 81-553 to be levied and collected by Lee County, Alabama, for the administration of said Act No. 81-553, and for the use of the proceeds from said taxes; authorizing the governing body of Lee County, Alabama, to levy and collect special county privilege, license and excise taxes generally paralleling the state sales and use taxes levied by Act No. 81-665 enacted at the 1981 Regular Session of the Legislature of Alabama on sales of automobiles and other vehicles other than at wholesale by persons other than licensed dealers; providing for the collection of such taxes and the use of the proceeds therefrom; and repealing Act No. 81-918 enacted at the 1981 First Special Session of the Legislature of Alabama.

By Messrs. Britnell and Denton (with notice and proof):

S. 545. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

By Messrs. Britnell and Denton:

S. 546. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Parker (with notice and proof):

H. 308. Relating to the city of Chickasaw; providing, after notice is given, for the removal or demolition of buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; providing for a hearing by the governing body upon request; authorizing that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and providing a method of collecting such assessments.

By Rep. Reed (with notice and proof):

H. 557. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Notasulga, in Macon and Lee Counties.

By Reps. McMillan and Harper (T) (with notice and proof):

H. 641. To establish minimum age requirements for admission into Mobile County Public Kindergartens.

By Reps. Bedsole and Harper (T) (with notice and proof):

H. 661. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

By Rep. Harper (T) (with notice and proof):

H. 682. To authorize the creation of a public corporation in Bayou La Batre, Mobile County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations thereof; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; exempting such bonds and the property of the corporation from taxation; and providing that no debt of a state, political subdivision or any municipality thereof shall be incurred in the exercise of any of the powers granted by this act.

By Rep. Sandusky:

H. 721. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901 authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$12,000,000 in principal amount for certain County Jail Facilities (as defined herein), to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said Constitution, as amended; authorizing Mobile County to lease from any public corporation or any private person, firm or corporation any such County Jail Facility (whether or not any such bonds are issued) and to apply, pledge or appropriate proceeds of the said special tax for payment of any such lease obligations; providing that none of the said bonds or any of the said lease obligations shall be chargeable against the limitation on the indebtedness of Mobile County contained in Section 224 of said Constitution and specifying certain details pertaining to the said bonds and leases.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Sandusky (with notice and proof):

H. 751. To Amend Section Five of Act No. 651, H. 377, Regular Session 1975 (Acts 1975, P. 1408) which provides retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

By Rep. Adams (H) (with notice and proof):

H. 752. Relating to Cherokee County; to provide for the construction, repair and maintenance of County Roads as a unit without regard to District or Beat lines.

By Rep. Stewart (with notice and proof):

H. 778. Relating to Mobile County; amending further section 1 of Act No. 80-342, H. 917, 1980 Regular Session (Acts 1980, p. 464) relating to an idle speed zone for boats on Halls Mill Creek, so as to provide that the Alabama Marine Police shall erect signs to indicate such zone.

By Rep. Gilmer (with notice and proof):

H. 791. Relating to Fayette County; to establish a special fund in the county treasury to pay a bounty to any resident of Fayette County on certain beaver trapped or killed in Fayette County; to provide for the administration of said fund and bounty system; and to prescribe punishment for any person found guilty of falsely making claim for a bounty.

By Rep. Gilmer (with notice and proof):

H. 792. Relating to Fayette County; to provide for the expense allowance of Board of Education members; to repeal all prior laws providing for the compensation of Board Members; and to provide for the location of board meetings.

By Rep. Gilmer (with notice and proof):

H. 793. Relating to Fayette County; to provide that 10% of all funds accruing to Fayette County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

By Rep. Gilmer (with notice and proof):

H. 795. Relating to Lamar County; to provide for the expense allowance of board of education members; to repeal all prior laws providing for the compensation of board members; and to provide for the location of board meetings.

By Rep. Gilmer (with notice and proof):

H. 797. Relating to Lamar County; to alter the compensation of the members of the county commission.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Sandusky, Zoghby, Parker, Stewart, McMillan and Bedsole (with notice and proof) (With Substitute):

H. 777. To repeal Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, P. 990-991); and Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, P. 1630-1631) providing for minimum compensation for deputies in Mobile County.

By Rep. Ray (with notice and proof) (With Substitute):

H. 798. Relating to Barbour County; providing for a salary supplement for the district attorney.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Crow (with notice and proof):

H. 800. Relating to Calhoun County; amending Act No. 274, H. 990, Regular Session 1975 (Acts 1975, p. 809), which relates to the civil service board, so as to allow department heads to choose from a greater number of applicants on the list furnished by the board.

By Rep. Roberts (with notice and proof):

H. 801. Relating to Morgan County; to provide for the adoption and publication of certain motor vehicle weights and limits, which shall be deemed as adequate notice for purposes of penalizing offenders.

By Rep. Roberts (with notice and proof):

H. 802. Relating to Morgan County; to authorize the county to contract with any municipality within Morgan County and any municipality within Morgan County to contract with Morgan County to lease or sell to each other used equipment and/or other materials or items used or usable by counties and municipalities and to make street signs and sell the same to municipalities all without advertising for bids.

By Reps. Whatley and Adams (C) (with notice and proof):

H. 807. Relating to Russell County; providing for the districts and election of the members of the county board of education.

By Rep. Sasser (with notice and proof):

H. 809. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service of summoning witnesses and summons and complaints in Henry County so that such service and subpoenas may be by United States mail in the county under certain conditions.

By Rep. Reed (with notice and proof):

H. 815. Relating to Macon County; to authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Macon County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

By Rep. Gilmer (with notice and proof):

H. 817. Relating to Fayette County; to alter the compensation of the members of the county commission.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Turner (with notice and proof) (With Amendment):

H. 216. Relating to Mobile County; to alter or rearrange the boundary lines of the Town of Creola.

By Rep. McMillan (with notice and proof) (With Amendment):

H. 306. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Mobile County, Alabama.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Weeks:

S. 327. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to change the charges and costs of court in Pike County and to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges or changes in court costs.

The above Bill was read a second time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. McKee:

H. J. R. 345. URGING THE EXPEDITIOUS IMPLEMENTATION OF THE 1980-81 PAY AND CLASSIFICATION FOR STATE EMPLOYEES WITH CERTAIN RECOMMENDATIONS.

WHEREAS, pursuant to Act No. 81-1182, H. 34, 1981 Third Special Session, a joint interim committee has met and held public hearings concerning the proposed state employees classification and pay plan; and

WHEREAS, the committee has made the following recommendations concerning the aforementioned pay and classification study; and

1) That the Legislature has been made aware of the fact that various personnel have been employed outside the State Merit System to perform duties that are within the purview of the Merit System and we hereby urge all state departments to hire within the Merit System.

2) That future interim legislative committees will find that the aforementioned problem has been addressed and eradicated.

3) That it is our understanding through this resolution that there shall be a continuing and ongoing investigation of all classifications under the plan and said classifications shall be subject to constant review.

4) That many clerical employees feel their promotional opportunities are limited and we urge that this area be studied and a solution offered.

5) That the plan be modified as to the employees of Legislative Reference Service so as to comply with Section 29-7-5, Code of Alabama 1975.

6) That regardless of who sits in the Governor's Office or in the Legislature, the state personnel board must remain outside the sphere of politics and we hereby charge the board to make adequate compensation for all state employees; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby approve of and urge the implementation of the Pay and Classification Study for state employees with the above recommendations.

BE IT FURTHER RESOLVED, That the implementation date of the plan be at the next pay period following the passage of this resolution and its signing by the Governor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Denton, the Rules were suspended and the Resolution, H. J. R. 345, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RECESS

At 3:30 P.M., on motion of Mr. St. John, the Senate took a recess until 3:45 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor McMillan. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Carter, Roberts, Patton and Smith (J):

H. J. R. 336. COMMENDING DR. JAMES R. CHASTEEN, RECIPIENT OF "OUTSTANDING ADMINISTRATOR" AWARD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Martin, the Rules were suspended and the Resolution, H. J. R. 336, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 196. To provide for a state income tax refund checkoff designation for the support of nongame wildlife programs in Alabama.
was taken up.

On motion of Mr. deGraffenried, further consideration of the Bill, S. B. 196, was postponed until the Twenty-Eighth Legislative Day.

The Bill:

S. 471. To provide that the retirement income of military personnel shall be exempt from state, county and municipal income taxes the same as the exemptions provided for by sub-sections (a) (1) (2) (3) of Section 40-18-19 Code of Alabama 1975.

was taken up.

On motion of Mr. Miller, further consideration of the Bill, S. B. 471, was postponed temporarily.

POINT OF PERSONAL PRIVILEGE

Mr. Robertson requested that the Journal show that he voted "Nay" on the adoption of the Resolution, H. J. R. 345.

BILLS ON THIRD READING RESUMED

The Bill:

S. 380. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

was taken up.

On motion of Mr. Keener, further consideration of the Bill, S. B. 380, was postponed temporarily.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 115

We, the Committee of Conference appointed to reconcile the differences of the two houses concerning Senate Bill 115, have met in conference and have agreed to the attached report.

JOHN TEAGUE,

MAC PARSONS,

G. J. "DUTCH" HIGGINBOTHAM,

Conferees on the Part of the Senate.

DUANNE LEWIS,

W. F. (NOOPIE) COSBY, JR.,

SETH HAMOETT,

Conferees on the Part of the House.

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 115

A BILL TO BE ENTITLED AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Examiners of Landscape Architects as provided in

sections 34-17-1 through 34-17-27 of the Code of Alabama 1975, with certain modifications; to amend sections 34-17-24 and 34-17-25, so as to increase fees and penalties to allow for increased costs of administration of the board.

Be It Enacted by the Legislature of Alabama:

Section 1. It is declared that pursuant to the Alabama Sunset Law, sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of the Board of Examiners of Landscape Architects, and voted to recommend the continuance of the board created and functioning pursuant to sections 34-17-1 through 34-17-27, Code of Alabama 1975, with the additional recommendations for statutory changes of the board as set out in Section 4 hereof.

Section 2. The legislature concurs in the recommendation of the Sunset Committee provided in Section 1 of this act.

Section 3. The existence and functioning of the Board of Examiners of Landscape Architects, created and functioning pursuant to sections 34-17-1 through 34-17-27 of the Code of Alabama 1975 are hereby continued.

Section 4. Sections 34-17-24 and 34-17-25 of the Code of Alabama 1975 are hereby amended to read as follows:

"§ 24-17-24. (a) Every landscape architect shall pay an annual license fee to the board. The fee shall be due and payable on the first day of January of each year and shall become delinquent after the thirty-first day of January.

"(b) If the annual license fee is not paid before it becomes delinquent a penalty of \$10.00 \$50.00 shall be added to the amount thereof per year.

"(c) If the annual license fee and penalty are not paid before the thirtieth day of June in the year in which they become due, the landscape architect's certificate shall be suspended from and after the expiration of 30 days from the date of mailing of notice of such delinquency by registered or certified mail, return receipt requested, postage prepaid and addressed to the landscape architect at his address as it appears on the records of the board. The notice of delinquency shall state that upon the expiration of time herein allowed his certificate will be suspended unless, within said time, the annual license fee and penalty are remitted.

"(d) After the certificate has been suspended, it may be reinstated upon the payment of the annual license fee and such proof of the landscape architect's qualifications as may be required in the sound discretion of the board.

"(e) The board shall issue a receipt to each landscape architect promptly upon payment of the annual license fee.

"§ 34-17-25. The fees prescribed by this chapter shall be in the following amounts:

"(1) The application fee for examination is \$50.00 \$125.00.

"(2) The fee for an original certificate is \$25.00 \$35.00.

"(3) The fee for a temporary certificate is \$25.00 \$100.00.

"(4) The fee for a duplicate certificate is \$10.00 \$20.00.

"(5) The annual license fee is \$25.00 \$50.00.

"(6) The penalty fee is \$50.00, as provided in section 34-17-24 of this chapter."

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. deGraffenried, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 115. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Examiners of Landscape Architects as provided in sections 34-17-1 through 34-17-27 of the Code of Alabama 1975, with certain modifications; to amend sections 34-17-24 and 34-17-25, so as to increase fees and penalties to allow for increased costs of administration of the board.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Higginbotham	Little	Parsons
Britnell	Holmes	Martin	Proctor
deGraffenried	Keener	McDonald	Robertson
Goodwin	Kirkland	Miller	Smith
Gulledge	Lemaster	Mitchem	Teague (J)
Hall			

—20

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

S. 428. To provide for the issuance of special permits for the movement of certain type oversized loads over or on the highways of Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 1.

Yeas:

Messrs.:	Gulledge	Lemaster	St. John
Bailey	Hall	Little	Smith
Britnell	Higginbotham	Martin	Taylor
Cook	Holmes	Pearson	Teague (J)
deGraffenried	Keener	Proctor	Vacca
Goodwin			

—20

Nay: Mr. Robertson —1

On motion of Mr. Keener, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 428.

The Bill:

S. 468. Proposing an amendment to the Constitution of Alabama prescribing certain procedures that will allow the legislature to enact local legislation on any subject.

was taken up.

Mr. Callahan offered the following substitute for the Bill, S. B. 468, to-wit:

SUBSTITUTE FOR S. B. 468

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama prescribing certain procedures that will allow proposed constitutional amendments which affect or apply to only one county to be adopted as an amendment to the constitution by a majority vote of the people of the county affected, provided that such proposed amendment has first been unanimously approved by a local constitutional amendment commission and then subsequently approved by a majority of the electors in the county affected.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors of the state voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

Any proposed constitutional amendment which affects or applies to only one county shall be adopted as a valid part of the constitution by a majority vote of the people of the county so affected, provided that such proposed amendment has first been unanimously approved by a local constitutional amendment commission composed of the Governor, Lieutenant Governor, Attorney General, Secretary of State and Speaker of the House of Representatives. The proposed local constitutional amendment shall then be approved by a majority vote of the qualified electors of the county affected by such proposed amendment voting in a referendum election held for the purpose of determining if such proposed amendment shall become adopted as a valid part of the constitution.

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. If a

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newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Denton	Kirkland	Proctor
Bailey	Gulledge	Lemaster	Robertson
Callahan	Harrison	Little	Taylor
Cook	Higginbotham	Miller	Teague (B)
deGraffenried	Holmes	Mitchem	Teague (J)

—19

Nays: —0

And said Bill, S. B. 468, as thus amended by the substitute, was read a third time at length as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Denton	Kirkland	Proctor
Bailey	Goodwin	Little	St. John
Britnell	Gulledge	Martin,	Taylor
Callahan	Harrison	Miller	Teague (B)
Cook	Higginbotham	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	White

—23

Nays: —0

On motion of Mr. Callahan, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 468.

The Bill:

S. 479. To amend Section 11-89A-13, Code of Alabama 1975, so as to require certain solid waste authorities to have a resource recovery facility in operation before it may begin processing solid wastes.

was taken up.

Mr. Little offered the following substitute for the Bill, S. B. 479, to-wit:

SUBSTITUTE FOR S. B. 479

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 11-89A-2, 11-89A-8, and 11-89A-13, Code of Alabama 1975, relating to the organization of disposal authorities by counties and municipalities so as to redefine the term "solid waste," to prohibit infringements upon private sales of recyclable materials; and to require certain solid waste authorities to have a resource recovery facility in operation within a certain time period.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 11-89A-2, 11-89A-8, and 11-89A-13, Code of Alabama 1975, are hereby amended to read as follows:

"§ 11-89A-2.

"The following words and phrases used in this chapter, and others evidently intended as the equivalent thereof, shall, in the absence of a clear implication herein otherwise, be given the following respective interpretations herein:

"(1) **APPLICANT.** A natural person who files a written application with the governing body of any county or municipality in accordance with the provisions of section 11-89A-3.

"(2) **AUTHORITY.** Any public corporation organized pursuant to the provisions of this chapter.

"(3) **AUTHORIZING RESOLUTION.** A resolution or ordinance adopted by the governing body of any county or municipality in accordance with the provisions of section 11-89A-3, that authorizes the incorporation of an authority.

"(4) **BOARD.** The board of directors of an authority.

"(5) **BONDS.** Bonds, notes or other obligations representing an obligation to pay money.

"(6) **COSTS.** As applied to a facility or any portion thereof, such term shall include all or any part of the cost of construction, acquisition, alteration, enlargement, extension, reconstruction, improvement and remodeling of a facility, including all lands, structures, real or personal property, rights, rights-of-way, franchises, easements, permits, approvals, licenses and certificates and interests acquired or used for, in connection with or with respect to a facility, the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring lands to which such buildings or structures may be moved, the cost of all machinery and equipment, financing charges, underwriters' commissions or discounts, interest prior to, during and for a period of six months following estimated completion of such construction and acquisition, provisions for reserves for both principal and interest and for maintenance, extensions, enlargements, additions and improvements to any facilities then being or theretofore acquired and all other amounts authorized by any authority to be paid into any special funds from proceeds of bonds issued by the authority, the cost of architectural, engineering, financial and legal services, plans, specifications, studies, surveys, estimates of cost and revenues, administrative expenses, expenses necessary or incident to determining the feasibility or practicability of constructing a facility and such other expenses as may be necessary or incident to the construction and acquisition of a facility, the financing of such construction and acquisition and the placing of a facility in operation.

"(7) **COUNTY.** Any county in the state.

"(8) **DETERMINING COUNTY.** With respect to an authority, any county the governing body of which shall have made findings and determinations of fact pertaining to the organization of such authority in accordance with the provisions of section 11-89A-3.

"(9) DETERMINING MUNICIPALITY. With respect to an authority, any municipality the governing body of which shall have made findings and determinations of fact pertaining to the organization of such authority in accordance with the provisions of section 11-89A-3.

"(10) DETERMINING SUBDIVISION. With respect to an authority, any determining county or determining municipality.

"(11) FACILITY. All or any part of either or both of (i) a solid waste disposal facility, and (ii) a resource recovery facility, including all land, rights-of-way, property rights, franchise rights, machinery, equipment, vehicles, furniture, fixtures and all other property, rights, easements and interests necessary or desirable in connection therewith.

"(12) GOVERNING BODY. With respect to a municipality, its city or town council, board of commissioners, or other like governing body exercising the legislative functions of a municipality and, with respect to a county, its county commission or other like governing body exercising the legislative functions of a county.

"(13) INCORPORATORS. The persons forming a public corporation pursuant to the provisions of this chapter.

"(14) MUNICIPALITY. An incorporated municipality in the state.

"(15) PERSON. The state, a municipality, a county or any political subdivision or agency of the state or county or a municipality, a public corporation, or any private corporation, individual, partnership, trust or foundation.

"(16) RESOURCE RECOVERY FACILITY. Such term shall include any land, building, plant, system, facility, equipment or other property, or any combination of either thereof, used or useful or capable of future use in connection with the extracting, converting to energy, or otherwise separating and preparing solid waste for reuse.

"(17) RECOVERED RESOURCE. Material or energy in any form whatsoever, including but not limited to steam, gas or electricity, which are or may be collected or recovered from or with respect to solid waste.

"(18) REVENUES. All rentals, receipts, income and other charges derived or received or to be derived or received by the authority from any of the following: the operation by the authority of a facility or facilities, or part of either thereof; the sale, including installment sales or conditional sales, lease, sublease or use or other disposition of any facility or portion thereof; the sale, lease or other disposition of recovered resources; contracts, agreements or franchises with respect to a facility (or portion thereof), with respect to recovered resources, or with respect to a facility (or portion thereof) and recovered resources, including but not limited to charges with respect to the disposal of solid waste received with respect to a facility, income received as a result of the sale or other disposition of recovered resources; any gift or grant received with respect thereto; proceeds of bonds to the extent of use thereof for payment of principal of, premium, if any, or interest on the bonds is authorized by the authority; proceeds from any insurance, condemnation or guaranty pertaining to a facility or property mortgaged to secure bonds or pertaining to the financing of a facility; and income and profit from the investment of the proceeds of bonds or of any revenues.

"(19) **SOLID WASTE.** Any garbage, refuse or sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded materials, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities. Solid waste, as used in this chapter, does not include any material collected for recycling.

"(20) **SOLID WASTE DISPOSAL FACILITY.** Such term shall include any land, building, plant, system, facility, trucks and other motor vehicles, equipment or other property, whether real, personal or mixed, or any combination of either thereof, used or useful or capable of future use in connection with the collection, storage, treatment, utilization, recycling, processing, transporting or disposal of solid waste, including transfer stations, incinerators, sanitary landfill facilities or other facilities necessary or desirable in connection therewith.

"(21) **STATE.** The state of Alabama."

"§ 11-89A-8.

"(a) Every authority shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter, including (without limiting the generality of the foregoing) the following powers:

"(1) To have succession in its corporate name for the duration of time (which may be in perpetuity, subject to the provisions of section 11-89A-21 specified in its certificate of incorporation;

"(2) To sue and be sued in its own name in civil suits and actions and to defend suit against it;

"(3) To adopt and make use of a corporate seal and to alter the same at pleasure;

"(4) To adopt, alter and repeal bylaws, regulations and rules, not inconsistent with the provisions of this chapter, for the regulation and conduct of its affairs and business;

"(5) To acquire, whether by gift, purchase, transfer, foreclosure, lease or otherwise, to construct and to expand, improve, operate, maintain, equip and furnish one or more facilities, including all real and personal properties that its board may deem necessary in connection therewith, regardless of whether or not any such facility shall then be in existence and, if in existence, regardless of whether or not any such facility is then owned or leased by any person to which such facility may subsequently be sold or leased by such authority;

"(6) To borrow money and to sell and issue bonds as hereinafter provided for any corporate use or purpose;

"(7) To lease to any person or persons all or any part of any facility or facilities that are or are to be owned by it, to charge and collect rent therefor and to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof, all upon such terms and conditions as its board may deem advisable;

"(8) To contract to sell, convey or dispose of and to sell, convey or dispose of all or any part of any recovered resource facility, and to contract to sell, convey or dispose of and to sell, convey or dispose of all or any part of

any recovered resources (including but not limited to the granting of options to purchase any recovered resources to any person), all for such consideration and upon such terms and conditions as its board may deem advisable;

“(9) To enter into a contract or contracts with any person or persons granting to such person or persons the exclusive right to purchase or acquire from the authority any recovered resources or rights to recovered resources for such period as its board may deem advisable;

“(10) To pledge for payment of any bonds issued or assumed by the authority any revenues from which such bonds are payable as provided in this chapter, and to mortgage or pledge any or all of its facilities and revenues or any part or parts thereof, whether then owned or received or thereafter acquired or received;

“(11) To assume obligations secured by a lien on or secured by and payable out of or secured by a pledge of any facility or facilities or part thereof or the revenues derived from any facility or facilities that may be acquired by the authority;

“(12) To make, enter into, and execute such contracts, agreements, leases and other instruments and to take such other actions as may be necessary or convenient to accomplish any purpose for which such authority was organized or to exercise any power expressly granted under this chapter;

“(13) To enter into contracts with, to accept aid, loans and grants from, to cooperate with, and to do any and all things not specifically prohibited by this chapter or other applicable laws of the state that may be necessary in order to avail itself of the aid and cooperation of the United States of America, the state or any agency, instrumentality or political subdivision of either thereof in furtherance of the purposes of this chapter;

“(14) To receive and accept from any source aid or contributions in the form of money, property, labor or other things of value, to be held, used and applied to carry out the purposes of this chapter, subject to any lawful condition upon which such aid or contributions may be given or made;

“(15) To appoint, employ and contract with such employees and agents, including but not limited to architects, engineers, attorneys, accountants, financial experts, fiscal agents, and such other advisors, consultants and agents as may in its judgment be necessary or desirable, and to fix their compensations;

“(16) To enter into a management contract or contracts with any municipality, any county, or any person or persons for the management, supervision or operation of all or any part of its facilities as may in the judgment of such authority be necessary or desirable in order to perform more efficiently or economically any function for which it may become responsible in the exercise of the powers conferred upon it by this chapter.

“(17) To procure insurance against any loss in connection with its property and other assets in such amounts and from such insurers as its board may deem desirable;

“(18) To invest its moneys (including, without limitation, the moneys held in any special fund created pursuant to any trust indenture or agreement or resolution securing any of its bonds and proceeds from the sale of any bonds or notes) not required for immediate use in

“a. Any debt securities that are direct, general obligations of the United States of America,

"b. Any debt securities, the payment of the principal of and interest on which is unconditionally guaranteed by the United States of America;

"c. Any time deposit with, or any certificate of deposit issued by, any bank which is organized under the laws of the United States of America or any state thereof and deposits in which are insured by the Federal Deposit Insurance Corporation or any department, agency or instrumentality of the United States of America that may succeed to the functions of such corporation; and

"d. Any debt obligation in which an insurance company organized under the laws of the state may legally invest its money at the time of investment by an authority;

"(19) To procure or agree to the procurement of insurance or guarantees from the United States of America or any agency or instrumentality thereof, or from any private insurance company, of the payment of any bonds issued by such authority, and to pay premiums or fees for any such insurance or guarantees; and

"(20) To do any and all things necessary or convenient to carry out its purposes and to exercise its powers pursuant to the provisions of this chapter.

"(b) Any facility or facilities of an authority organized pursuant to determination by a determining municipality may be located within or without or partially within and partially without the determining municipality, subject to the following conditions:

"(1) No such facility or part thereof shall be located more than 30 miles from the corporate limits of the determining municipality;

"(2) No such facility or part thereof shall be located within the corporate limits of a municipality other than the determining municipality in this state;

"(3) No such facility or part thereof shall be located within the police jurisdiction of another municipality in this state unless the governing body of such municipality has first adopted a resolution consenting to the location of such facility or part thereof in the police jurisdiction of such municipality; and

"(4) No such facility or part thereof shall be located in a county other than that (or those) in which the determining municipality (or part thereof) is situated unless the governing body of such other county has first adopted a resolution consenting to the location of such facility or part thereof in such county.

"(c) Any facility or facilities of an authority organized pursuant to determination by a determining county may be located within or without or partially within and partially without the determining county, subject to the following conditions:

"(1) No part of a facility shall be located more than three miles outside the boundaries of the determining county;

"(2) In no event shall any facility or part thereof be located within the corporate limits of a municipality unless the governing body of such municipality has first adopted a resolution consenting to the location of such facility or part thereof in such municipality; and

"(3) No such project or part thereof shall be located in a county other than the determining county unless the governing body of such other county

has first adopted a resolution consenting to the location of a part of such facility in such other county.

"(d) No authority created pursuant to this chapter shall infringe on the right of any owner to sell recyclable materials for his own benefit at its highest value."

"§ 11-89A-13. (a) This chapter is intended to aid the state through the furtherance of the purposes of the chapter by providing appropriate and independent instrumentalities with full and adequate powers to fulfill their functions. Except as expressly provided in this chapter, no proceeding, notice or approval shall be required for the incorporation of any authority or the amendment of its certificate of incorporation, the purchase of any note or other instrument secured by a mortgage, deed of trust, note or other security interest, the issuance of any bonds, the execution of any mortgage and deed of trust or trust indenture, or the exercise of any other of its powers by an authority. Neither a public hearing nor the consent of the state department of finance or any other department, agency, bureau, board or corporation of the state shall be prerequisite to the issuance of bonds by an authority.

"(b) To the extent that section 22-27-5 might in any way be applicable to the actions of the authority, the said section is hereby declared to be inapplicable, including, particularly the provisions of the said section providing for the cancellation of contracts of counties and municipalities, and individuals, corporations, partnerships or other agencies engaging in the collection and disposal of solid waste. Each authority shall, however, be subject to the provisions of article 1 of chapter 27 of Title 22 (other than the provisions of the said section 22-27-5) respecting sanitary requirements in the disposal of solid waste.

"(c) Any solid waste authority under the provisions of this chapter shall within eighteen (18) months of the commencement of the actual physical handling and disposing of solid waste implement and begin operating a resource recovery facility to convert said solid waste into an alternative energy source. If said authority fails to begin operating such a resource recovery facility within said time period, the authority shall cease all operations until such time the resource recovery facility is put into operation."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Robertson
Bailey	Harrison	Miller	Smith
Cook	Holmes	Mitchem	Taylor
Denton	Kirkland	Parsons	Teague (J)
Goodwin	Little	Proctor	White
Gulledge			—20

Nays: —0

And said Bill, S. B. 479, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Robertson	
Bailey	Holmes	Miller	Taylor	
Denton	Kirkland	Mitchem	Teague (J)	
Gulledge	Lemaster	Parsons	White	
Hall	Little	Proctor		—18

Nays: —0

On motion of Mr. Little, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 479.

MOTION TO ADJOURN LOST

At 4:20 P.M., Mr. Proctor moved that the Senate adjourn until Thursday, April 15, 1982, at 11 o'clock A.M., which motion was lost.

BILLS ON THIRD READING RESUMED

The Bill:

S. 333. To amend Section 19-3-1, Code of Alabama 1975, which provides for the creation of trusts for the support of relatives, so as to provide further for said trusts.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Robertson	
Bailey	Harrison	McDonald	Teague (B)	
Cook	Holmes	Miller	Teague (J)	
Denton	Kirkland	Mitchem	Weeks	
Goodwin	Lemaster	Proctor	White	
Gulledge	Little			—21

Nays: —0

On motion of Mr. Gulledge, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 333.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 408. Relating to Jefferson County; to provide certain health benefits to members of the General Retirement System for Employees of Jefferson County who have retired on a superannuation or disability until said member reaches eligibility for Medicare and/or Medicaid, and to provide for the funding of said benefits.

Also:

H. 580. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Also:

H. 718. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 733. To provide for a certain increase in court costs in the Wilcox County division of the Fourth Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Wilcox County.

Also:

H. 736. To further provide for the administration of absentee voting in Clay County, except during municipal elections.

Also:

H. 734. To propose a constitutional amendment regarding the altering of costs and charges of courts in Wilcox County.

Also:

H. 741. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Lamar County, Alabama.

Also:

H. 742. Proposing an amendment to the Constitution of Alabama to abolish the office of constable in Fayette County, Alabama.

Also:

H. 760. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to change the charges and costs of court in Pickens County and to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges or changes in court costs.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 248. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-seventh legislative day of the 1982 Regular Session only:

BILL NO.	PAGE NO.	DESCRIPTION
S. B. 183, 184, 185, 186,	pages 39-41	
S. B. 514	80	Securities, pledging of letters of credit
S. B. 244	36	TRS, Alabama Vocational Assoc., may join
S. B. 297	32	Handgun ammunition, teflon coating, proh.
S. B. 312	35	Madison, fire damaged Central Sch., approp.
S. B. 455	75	Board of Corrections, cond. approp.
S. B. 280	26	Egg producers, assessment of monies, ref.
S. B. 543	124	Alabama Indian Affairs Comm., created
S. B. 206	55	Bingo, legalized
S. B. 281	27	Poultry & eggs, promotion of
S. B. 317	58	Elections, voter reg. file maint. sys.
S. B. 394	47	Public contracts, manner of awarding alt.
S. B. 282	27	Poultry & eggs, promotion of c/a
S. B. 371	46	
S. B. 500	97	Parent Locator Office, reg.
S. B. 446	125	Court Reporters, salary
S. B. 537	109	Insurance, mental health, psy. serv.
S. B. 538	113	
S. B. 355	81	Marine Police Div., trans. to Public Safety
S. B. 476	95	Small Loan Act, report of lic.
S. B. 464	87	Child Support, withholding unemployment comp.
S. B. 296	38	Polygraph examiners, reg.
S. B. 466	88	Unemployment Compensation, child support to conform with fed.
S. B. 472	89	Unemployment Compensation, social security, job disqualification
S. B. 499	113	Architects and Eng., serv. defined
S. B. 473	91	Unemployment Compensation, method of finan. by employer
S. B. 489	130	LEO, ret. benefits, exempt

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S. B. 437	95	Civil Actions, evidence re: reimbursement
S. B. 523	107	Space Science Exhibit Comm., regu.
S. B. 372	46	
S. B. 395	49	Alcoholic bev. control bd., inv. fund created
S. B. 290	38	Attorney General's Inv., auth.
S. B. 291	30	Food Stamps, illegal poss., pen.
S. B. 292	30	Criminal work release program, failure to return
S. B. 497	81	Winery, Native Farm, define
S. B. 433	69	Alcoholic Bev., manufactors & importers, reg.
S. B. 224	33	Medical Liability act, include attorneys
S. B. 393	62	Garnishment, conform with fed. law
S. B. 415	61	Alabama Hospital Care Serv. Price Dis.
S. B. 326	73	

Mr. Hall offered the following substitute for the Resolution, S. R. 248, to-wit:

S. R. 248. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-seventh legislative day of the 1982 Regular Session only:

BILL NO.	PAGE NO.	DESCRIPTION
S. B. 191	98	
S. B. 514	80	Securities, pledging of letters of credit
S. B. 244	36	TRS, Alabama Vocational Assoc., may join
S. B. 297	32	Handgun ammunition, teflon coating, proh.
S. B. 312	35	Madison, fire damaged Central Sch., approp.
S. B. 455	75	Board of Corrections, cond. approp.
S. B. 280	26	Egg producers, assessment of monies, ref.
S. B. 543	124	Alabama Indian Affairs Comm., created
S. B. 206	55	Bingo, legalized
S. B. 332	56	Probate courts, curators
S. B. 281	27	Poultry & eggs, promotion of
S. B. 317	58	Elections, voter reg. file maint. sys.
S. B. 394	47	Public contracts, manner of awarding alt.
S. B. 282	27	Poultry & eggs, promotion of c/a
S. B. 500	97	Parent Locator Office, reg.
S. B. 446	125	Court Reporters, salary

S. B. 537	109	Insurance, mental health, psy. serv.
S. B. 355	81	Marine Police Div., trans. to Public Safety
S. B. 476	95	Small Loan Act, report of lic.
S. B. 464	87	Child Support, withholding unemployment comp.
S. B. 296	38	Polygraph examiners, reg.
S. B. 466	88	Unemployment Compensation, child support to conform with fed.
S. B. 472	89	Unemployment Compensation, social security, job disqualification
S. B. 499	113	Architects and Eng., serv. defined
S. B. 473	91	Unemployment Compensation, method of finan. by employer
S. B. 489	130	LEO, ret. benefits, exempt
S. B. 437	95	Civil Actions, evidence re: reimbursement
S. B. 523	107	Space Science Exhibit Comm., regu.
S. B. 395	49	Alcoholic bev. control bd., inv. fund created
S. B. 290	38	Attorney General's Inv., auth.
S. B. 291	30	Food Stamps, illegal poss., pen.
S. B. 292	30	Criminal work release program, failure to return
S. B. 497	81	Winery, Native Farm, define
S. B. 433	69	Alcoholic Bev., manufactors & importers, reg.
S. B. 224	33	Medical Liability act, include attroneys
S. B. 393	62	Garnishment, conform with fed. law
S. B. 415	61	Alabama Hospital Care Serv. Price Dis.

On motion of Mr. McDonald, said substitute was laid on the table.

And on motion of Mr. McDonald, said Resolution was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 106. To amend Section 27-4-2, Code of Alabama, 1975, to provide for an increase in certain fees, licenses and miscellaneous charges.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Higginbotham	Miller	Taylor
Cook	Holmes	Mitchem	Teague (B)
deGraffenried	Lemaster	Proctor	Teague (J)
Goodwin	Little	Robertson	—18

Nays: —0

On motion of Mr. Bailey, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 106.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for the day, the first of which was the Bill:

S. 183. To provide that members of the national guard while on emergency state active duty and while actually performing a mission in connection with emergency state active duty, and when the Governor has declared that emergency powers are necessary, members of the national guard selected by the Adjutant General or his designated representative, shall be possessed with the same legal authority as any other state law enforcement officer, including but not limited to powers of arrest and to further provide for the wearing of badges.

Mr. St. John was granted unanimous consent to bring up the following Bill out of order, to-wit:

S. 446. To provide a salary increase by the State for the official court reporters, payable from the general fund of the state treasury; and to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Figures	Little	St. John
Bailey	Harrison	Martin	Taylor
Britnell	Higginbotham	Miller	Teague (B)
Callahan	Holmes	Mitchem	Teague (J)
Cook	Keener	Proctor	Weeks
deGraffenried	Kirkland	Robertson	White
Denton	Lemaster		—25

Nays: —0

On motion of Mr. Bailey, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 446.

The Bill:

S. 45. To amend Code of Alabama 1975, Section 36-27-16, which relates to the Employees' Retirement System, amending said sections so as to provide that any member who has attained age 60, or age 52 in the case of a

state policeman, and has previously withdrawn from service may retire upon written application to the board of control setting forth at what time, not less than 30 days, nor more than 90 days subsequent to the execution and filing thereof, he desires to be retired; provided that the said member shall have completed the age and service requirements established by the board of control for eligibility for deferred benefits. To provide that the board of control shall establish said age and service requirements; and that from time to time, said requirements for the minimum years of creditable service shall not be less than 10 years nor more than 25 years.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Kirkland	Miller	Taylor	
Cook	Lemaster	Mitchem	Teague (B)	
deGraffenried	Little	Parsons	Teague (J)	
Denton	Martin	Proctor	Weeks	
Hall	McDonald	Robertson	White	
Holmes				—20

Nays: —0

On motion of Mr. Denton, Rule 35 was suspended to allow transmittal to the House of the above Bill, S. B. 45.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Edwards:

H. J. R. 335. BE IT RESOLVED BY THE HOUSE, THE SENATE OF ALABAMA CONCURRING:

1. Whereas under the provisions of Act No. 81-449 an Interim Committee on Municipal Government of the Legislature of Alabama was organized with eight (8) members of the Legislature, four (4) from the House appointed by the Speaker and four (4) from the Senate appointed by the Lieutenant Governor, and the Committee met after the adjournment of the 1981 Session and prior to the 1982 Session and has submitted its report to the Legislature.

The Committee made numerous recommendations with respect to the organization, function, administration, financial framework, election procedures, forms of government procedures, and the impact of growth and urbanization on Alabama cities and towns and,

Whereas, the current Legislature has adopted several bills recommended by the Committee and will no doubt adopt several additional pieces of legislation which the Interim Committee recommended and there is a need to continue and complete the study begun by the said Interim Committee inasmuch as many areas, which the Committee studied, require further study in depth and require positive recommendations to the Legislature from the Committee, and

NOW THEREFORE, BE IT RESOLVED, that in order to further suggest to the State Legislators additional sound, workable, financially feasible and economically possible methods of administration for Alabama's municipal governments, there is hereby continued and reorganized an Interim Committee on Municipal Government of the Legislature of Alabama, to be composed of eight (8) members of the Legislature, four (4) members from the House to be appointed by the Speaker of the House, and four (4) members from the Senate to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to continue to analyze the present status of municipal government in Alabama and to make recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the municipal governments of this State to more adequately meet and furnish the services and requirements of their citizens.

In reviewing the status and the laws of municipal governments in Alabama, the Committee shall consider and make studies of, but shall not limit its consideration, to the following items:

1. An assessment and study of the effect of New Federalism and the problems created by its impact on the municipalities of Alabama; a study as to how the municipalities may continue furnishing services because of the serious reduction in federal assistance for municipal programs; a study of the block grant delivery of federal assistance for municipalities through the State and recommendations on such methods of delivery.

2. An assessment of the impact of the decision of the United States Supreme Court in the recent case of Community Communications Company, Inc., v. City of Boulder, Colorado, which decision may lead to Alabama municipalities being mixed up in the complexities of anti-trust litigation and the need for legislative action to relieve municipalities from any possible anti-trust liability.

3. An assessment of the duplication of functions performed by the State, counties and municipalities, and particularly in the areas of traffic safety, streets and highways, drainage, rights-of-way maintenance, solid waste disposal, law enforcement and fire protection; and a suggestion as to legislation to eliminate such duplications.

4. A review, with recommendations, as to how to improve annexation procedures, control of urban sprawl, and recommended solutions for hazardous waste disposal and energy conservation.

BE IT FURTHER RESOLVED, that the Committee shall not consume more than forty-five (45) working days in performing its functions and that its report be finished in time for presentation of a preliminary report during the first week of the 1983 Regular Session of the Alabama Legislature and a final report to be submitted during the 1983 Regular Session of the Alabama Legislature, and that as far as practical that all meetings of the Committee shall be held in the State Capitol and be opened to the public. The Secretary of the Senate or Clerk of the House is hereby required to provide one (1) clerk, who shall be a competent stenographer, and the Committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the Committee shall deem necessary. The Committee is hereby empowered to expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports and in general expenses incident to the work of the Committee. Each member of the Committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends the meeting of the Committee which shall be paid out of

the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the Committee's Chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The Chairman of the Committee shall certify the sums due to the clerk or other employees of the Committee. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of Seven Thousand Five Hundred (\$7,500.00) Dollars. The Lieutenant Governor and the Speaker of the House shall jointly designate one of the members of the Committee as Chairman and one member to be Vice-Chairman. The Lieutenant Governor and the Speaker of the House shall be ex-officio members of the Committee and shall receive compensation at the rate paid out members for each day that they sit with the Committee in its work on the subjects and problems listed in this Resolution, or in handling any other matters agreed upon by the Committee in line with the general purpose of the Committee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 335, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Bedsole:

H. J. R. 337. INCREASING THE NUMBER OF BOARD MEMBERS OF THE ALABAMA SCHOOL OF FINE ARTS FROM ELEVEN TO FIFTEEN.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the number of Board members presently governing the Alabama School of Fine Arts, created by Act No. 1203, H. J. R. 145, Regular Session, 1971 (Acts 1971, p. 2089) shall be increased from eleven to fifteen.

BE IT FURTHER RESOLVED That the additional four members shall be from the general public and appointed by the State Superintendent with the consent of the State Board of Education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 337, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. McCorquodale and Biddle:

H. 558. Regulating further license plates to be used for motor vehicles; providing for distinctive license plates for vehicles owned by certain fire fighters.

Also:

By Rep. Moore:

H. 618. To amend portions of Section 34-24-230, Code of Alabama, 1975, by the addition of definitions relating to the human foot; and to prescribe the surgical scope of the practice of podiatry.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 558. To the Committee on Governmental Affairs

H. B. 618. To the Committee on Health and Welfare.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clark (G) (with notice and proof):

H. 753. To levy additional county sales and use taxes in Pickens County for public school purposes in said county; to provide for the collection, distribution, and use of such taxes; to provide for the enforcement of the Act; to provide for severability; to provide the effective date hereof and for the substitution of the taxes levied hereby; and to prescribe penalties for violation of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 753, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. McMillan:

H. 583. To amend Section 11-89A-8 of the Code of Alabama 1975, relating to the organization of disposal authorities by counties and municipalities so as to prohibit infringements upon private sales of recyclable materials.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 753. To the Committee on Local Legislation No. 1

H. B. 583. To the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers and Williams:

H. 107. To amend Section 6-5-332 of the Code of Alabama, 1975, so as to include educators in the exemptions from liability when rendering emergency care.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 107. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Harper (T) and Penry:

H. 740. To establish and provide for a seafoods advisory board of the department of conservation and natural resources; to provide for the composition of such board; and to prescribe its powers and duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 740. To the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Dixon:

H. 249. To establish the "Alabama Dental Services Corporation Act"; to authorize the organization and operation of dental services corporations and to provide exceptions; to prescribe public regulation of such corporations; to prescribe certain bond and security deposits, working capital, contract and certificate forms; to prescribe procedures for subscription rates, requirements of charters, articles of incorporation and bylaws and amendments thereto; to require certain operational and financial reports; to make certain insurance and criminal laws applicable to such corporations, including: Title 27, Chapters 1, 2, 4, 6, 8, 12 and 32, Title 13-A, Chapter 8, of the Code of Alabama 1975; to provide for requirements and eligibility of applicants and contracting sales agents, reporting and accounting of funds received, business and fiscal accountability and disclosures; to provide certain grounds and procedures for compulsory and discretionary revocation, suspension or refusal for registration for such agents; to authorize the assessment and collection of administrative fines in certain instances; to grant the commissioner of insurance and department of insurance certain powers, duties and responsibilities with respect to the supervision and regulation of such dental services corporations; to authorize the commissioner to formulate, issue and implement reasonable rules and regulations to carry out the provisions of the Act; to prescribe a time frame for certain actions to be made by the commissioner and department; to establish licensing requirements, fee requirements and the payment and deposition of such fees; to prescribe the mode of reviewing and mediating complaints; to authorize the department of insurance to make certain audits and examinations of such corporations; to prohibit any non-licensed or unauthorized persons, or persons who are not in compliance with the provisions of this Act, from using the phrase or functioning in dental services plans or otherwise hold themselves out as so authorized; to provide for such corporations existing prior to the passage of the provisions of this Act; to prescribe criminal penalties and punishment for violations of the provisions of this Act; and to provide an effective date.

Also:

By Rep. Payne:

H. 687. To amend Section 40-18-19, so as to provide that the retirement pay of certain peace officers shall be exempt from state and local income tax the same as retirement pay of school teachers, state employees and civil service retirees.

Also:

By Rep. Sandusky:

H. 565. To create a fund for the Alabama alcoholic beverage control board to be used for inventory purposes by providing that no taxes collected on alcoholic beverages sold by said board or such funds distributed as net profits by said board shall be distributed for at least 25 days by October 1, 1983, for at least 55 days by September 30, 1984, for at least 85 days by September 30, 1985, for at least 115 days by September 30, 1986, for at least 120 days by September 30, 1987 and thereafter, after the close of the month in

which said taxes have been collected or such funds distributed as net profits are realized; to provide that any funds now accumulated as a working capital fund or reserve shall be distributed to the several beneficiaries on the same basis as withheld; to provide that all laws or parts of laws in conflict or inconsistent herewith are repealed; to provide an effective date.

Also:

By Reps. Biddle, Willis and Brakefield:

H. 80. To amend Sections 9-11-44, 9-11-47 and 9-11-49, Code of Alabama 1975, relating to certain resident and nonresident hunting licenses so as to increase the license fees for nonresident licenses, set the expiration date, provide for the contents of the license, set certain penalties and set the maximum number of deer which may be taken under a nonresident license.

Also:

By Reps. Ray, Bedsole, Whatley, Penry, Daniels, McMillan and Turner:

H. 780. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 249. To the Committee on Health and Welfare

H. B.'s 687 and 565. To the Committee on Finance and Taxation.

H. B. 80. To the Committee on Agriculture, Conservation, and Forestry

H. B. 780. To the Committee on Governmental Affairs

RESOLUTION

Mr. Gullledge offered the following Senate Resolution, to-wit:

S. R. 249. COMMENDING MR. JOHN T. HADLEY FOR MERITORIOUS SERVICE TO THE CITY OF FOLEY, ALABAMA.

Which was adopted.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

REGULAR SESSION
27th Day

1393

S. B. 28

S. B. 307

S. B. 356

S. B. 397

S. B. 482

S. B. 493

S. J. R. 179

S. J. R. 195

S. J. R. 198

S. J. R. 211

S. J. R. 216

S. J. R. 223

S. B. 4

Delivered to the Governor, April 12, 1982, at 8:20 A.M.

S. B. 11

S. B. 182

S. B. 170

S. B. 140

S. B. 197

S. B. 199

S. B. 205

S. B. 237

S. B. 265

S. B. 406

S. J. R. 177

S. J. R. 180

S. J. R. 190

S. J. R. 191

S. J. R. 192

S. B. 272

S. J. R. 228

S. J. R. 229

S. J. R. 232

Delivered to the Governor, April 13, 1982, at 3:25 P.M.

S. B. 454

Delivered to the Secretary of State, April 14, 1982, at 8:45 A.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:45 P.M., on motion of Mr. Proctor, the Senate adjourned until Thursday, April 15, 1982, at 11:01 A.M.

Yeas 17; Nays 9.

Yeas:

Messrs.:	Higginbotham	Little	St. John	
deGraffenried	Hilliard	Miller	Taylor	
Denton	Keener	Parsons	Weeks	
Goodwin	Kirkland	Proctor	White	
Hall	Lemaster			—17

Nays:

Messrs.:	Holmes	Smith	Teague (J)	
Cook	Mitchem	Teague (B)	Vacca	
Harrison	Robertson			—9

TWENTY-EIGHTH LEGISLATIVE DAY

THURSDAY, APRIL 15, 1982

The Senate met pursuant to adjournment, Lieutenant Governor McMillan presiding.

PRAYER

The Session was opened with prayer by Mr. John Allen Hannah, Professional N.F.L. Offensive Lineman, New England Patriots, and member of the Fellowship of Christian Athletes, Crossville, Alabama.

ROLL CALL

Present:

Messrs.:	Goodwin	Lemaster	Robertson
Bailey	Gulledge	Little	St. John
Britnell	Hall	Martin	Smith
Callahan	Harrison	McDonald	Taylor
Cook	Higginbotham	Miller	Teague (B)
deGraffenried	Hilliard	Mitchem	Teague (J)
Denton	Holmes	Parsons	Vacca
Figures	Keener	Pearson	Weeks
Glass	Kirkland	Proctor	White

—35

JOURNAL

On motion of Mr. St. John, the reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

ALBERT McDONALD,
Chairman.

COMMITTEE REPORT

On motion of Mr. McDonald, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

COMMITTEE REPORT FILED

Pursuant to the provisions of Act 81-566, H. J. R. 270, the report of the Interim Legislative Committee on Existing Industry in Alabama was read and ordered filed with the Secretary.

RESOLUTION

Mr. Higginbotham offered the following Senate Joint Resolution, to-wit:

S. J. R. 250. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES thereof concurring, that when we adjourn today that we adjourn to meet again on Monday, April 19, 1982.

On motion of Mr. Higginbotham, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 502. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges and fees in court costs in Pike County.

was read a third time at length as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Glass	Martin	St. John
Bailey	Gulledge	Miller	Smith
Britnell	Hall	Mitchem	Taylor
Callahan	Hilliard	Parsons	Teague (B)
Cook	Holmes	Pearson	Teague (J)
Denton	Keener	Proctor	Weeks
Figures	Little		

—25

Nays:

—0

The Bill:

S. 511. Relating to local sales and use taxes in Lee County, Alabama, and amending Act No. 81-553 enacted at the 1981 Regular Session of the Legislature of Alabama so as to provide further to the levy and collection of the special county privilege, license and excise taxes authorized by said Act No. 81-553 to be levied and collected by Lee County, Alabama, for the administration of said Act No. 81-553, and for the use of the proceeds from said taxes; authorizing the governing body of Lee County, Alabama, to levy and collect special county privilege, license and excise taxes generally paralleling the state sales and use taxes levied by Act No. 81-665 enacted at the 1981 Regular Session of the Legislature of Alabama on sales of automobiles and other vehicles other than at wholesale by persons other than licensed dealers; providing for the collection of such taxes and the use of the proceeds therefrom; and repealing Act No. 81-918 enacted at the 1981 First Special Session of the Legislature of Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Britnell	Denton	Glass
Bailey	Cook	Figures	Goodwin

REGULAR SESSION
28th Day

1397

Hall	Little	Pearson	Taylor
Higginbotham	McDonald	Proctor	Vacca
Holmes	Miller	St. John	Weeks
Keener	Mitchem	Smith	White
Kirkland	Parsons		

—25

Nays: —0

The Bill:

S. 545. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John
Britnell	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Vacca
Glass	Lemaster	Pearson	Weeks
Goodwin	Little	Proctor	White
Hall	Martin		

—25

Nays: —0

The Bill:

S. 546. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

was read a third time at length, as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John
Britnell	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Vacca
Glass	Lemaster	Pearson	Weeks
Goodwin	Little	Proctor	White
Hall	Martin		

—25

Nays: —0

RULE 35 SUSPENDED

On motion of Mr. Miller, Rule 35 was suspended to allow transmittal to the House of the above Local Senate Bills.

REPORTS OF COMMITTEES

Mr. Keener, Chairman of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. McKee:

H. 663. To amend portions of the Alabama Unemployment Compensation Act contained in Sections 25-4-75 and 25-4-140, Code of Alabama 1975, as last amended, so as to comply with the mandatory provisions of Public Law 97-35, relating to unemployment compensation; the extended benefit program; to permit assignment of benefits in connection with child support obligation and to provide for the deduction of, and subsequent payment to state and local child support enforcement agencies, amounts authorized by an agreement by an obligee or upon order of a court and to correct an error incorporated in Act 81-424, Regular Session, 1981, amending Section 25-4-75.

By Rep. McKee:

H. 673. To amend section 25-4-16, 25-4-77, 25-4-78, 25-4-94, and 25-4-118, Code of Alabama 1975, as last amended, so as to include amounts of the employee's portion of state unemployment and federal social security contributions paid by the employer without deduction from the employee's pay as "wages"; to permit receipt of benefits while attending training approved under the provisions of the Trade Readjustment Act of 1974 or, under certain criteria, leaving a job to enter such training; to remove "seeking a pension" as a cause for disqualification and permit fifty (50) percent reduction of social security or railroad retirement pension payments prior to deduction from benefits; to authorize release of information on wages, employment, benefits and location of individuals to child support agencies and to public and law enforcement officials in the performance of their official duties and provide penalties for misuse thereof; to make other such amendments as are necessary to meet mandatory federal conformity provisions; to make minor administrative changes and to set the effective date for the provisions of this act.

Mr. Higginbotham, Chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Moore:

H. 722. To amend Section 16-13-211 of the Code of Alabama 1975, which relates to warrant anticipation notes issued by local boards of education and borrowing money in anticipation of the issuance of such warrants, so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

By Rep. Bennett:

H. 125. To amend Section 16-28-4 of the Code of Alabama 1975 providing for the minimum age at which a child may enter school so as to provide that a child who moves into this state having completed a mandated public kindergarten program in another state shall be admitted to school regardless of age.

By Rep. Sandusky:

H. 519. To amend Section 16-13-213, Code of Alabama 1975, relating to board of education notes in anticipation of warrants, so as to alter the period of refund, renewal or extension.

By Rep. Sandusky:

H. 692. To amend Sections 16-13-71, 16-13-95 and 16-13-120, Code of Alabama 1975, each of which relates to the issuance of warrants by county boards of education and city boards of education, so as to eliminate the provisions of each of the said Sections that specify a maximum permissible rate of interest with respect to such warrants, and so as to eliminate the provision of Section 16-13-95, Code of Alabama 1975, specifying the rate of interest payable with respect to matured principal of or interest on such warrants.

Mr. White, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Dixon:

H. 249. To establish the "Alabama Dental Services Corporation Act"; to authorize the organization and operation of dental services corporations and to provide exceptions; to prescribe public regulation of such corporations; to prescribe certain bond and security deposits, working capital, contract and certificate forms; to prescribe procedures for subscription rates, requirements of charters, articles of incorporation and bylaws and amendments thereto; to require certain operational and financial reports; to make certain insurance and criminal laws applicable to such corporations, including: Title 27, Chapters 1, 2, 4, 6, 8, 12 and 32, Title 13-A, Chapter 8, of the Code of Alabama 1975; to provide for requirements and eligibility of applicants and contracting sales agents, reporting and accounting of funds received, business and fiscal accountability and disclosures; to provide certain grounds and procedures for compulsory and discretionary revocation, suspension or refusal for registration for such agents; to authorize the assessment and collection of administrative fines in certain instances; to grant the commissioner of insurance and department of insurance certain powers, duties and responsibilities with respect to the supervision and regulation of such dental services corporations; to authorize the commissioner to formulate, issue and implement reasonable rules and regulations to carry out the provisions of the Act; to prescribe a time frame for certain actions to be made by the commissioner and department; to establish licensing requirements, fee requirements and the payment and disposition of such fees; to prescribe the mode of reviewing and mediating complaints; to authorize the department of insurance to make certain audits and examinations of such corporations; to prohibit any non-licensed or unauthorized persons, or persons who are not in compliance with the provisions of this Act, from using the phrase or functioning in dental services plans or otherwise hold themselves out as so authorized; to provide for such corporations existing prior to the passage of the provisions of this Act; to prescribe criminal penalties and punishment for violations of the provisions of this Act; and to provide an effective date.

By Rep. Moore:

H. 618. To amend portions of Section 34-24-230, Code of Alabama, 1975, by the addition of definitions relating to the human foot; and to prescribe the surgical scope of the practice of podiatry.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Gafford, Waggoner, Moore, Biddle, Boles, Amari, Howard, Bennett, Cheatwood, Cabaniss, Jackson, Olive, Payne, Trammell, Lewis, Horn, Seibels, Escott and Nevett (with notice and proof):

H. 808. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

Mr. deGraffenried, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Rep. Manley (With Amendments):

H. 471. To provide that theft by conversion of payments made for property improvements shall constitute a criminal offense and to provide criminal penalties.

Mr. deGraffenried, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Cobb, Goodwin and Higginbotham:

H. 383. To prohibit the possession or sale of certain brass or steel teflon-coated handgun ammunition; to provide exemptions; and to prescribe penalties for violations.

By Rep. Turner:

H. 283. To amend further section 36-25-1, Code of Alabama 1975, relating to the code of ethics for public officials and employees, so as to exempt certain firemen from the provisions of such code of ethics.

By Rep. Williams:

H. 289. To define certain terms; to provide that possessing, obtaining, receiving, selling or using a short-barreled rifle or short-barreled shotgun, except by a peace officer acting in the course of or in connection with his official duties, is a Class C felony; to provide that changing, altering, removing, or obliterating the name of the maker, model, manufacturer's number or other mark or identification of any firearm, or possessing such a firearm, is a Class C felony; to provide that violation of this act in the course of or in connection with the commission of another felony shall be punished as a Class B felony; to provide that this act is supplemental to any other law and its penalties are in addition to those otherwise provided by law; to repeal §13A-11-82; to provide that the provisions of this act are severable; and to provide that this act shall become effective immediately.

By Reps. Seibels, Cosby, Payne, Bowling, McMillan, Gilmer, Horn, Riddick and Patton:

H. 538. To amend Section 15-18-72, Code of Alabama 1975, as amended, relating to defendants ordered by the court to make restitution, so as to require payments be transmitted within a specified time.

By Rep. McKee:

H. 665. To provide a more effective means of enforcing child support obligations by providing for withholding, under certain circumstances, of amounts from the obligee's unemployment compensation of entitlement; for the forwarding of such amounts to the child support enforcement agency; to establish the require procedures and to provide for the payment of reasonable administrative costs in connection therewith by the child support agency.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Edwards:

H. 60. To amend further §11-41-1, Code of Alabama, 1975, as amended, relating to the incorporation of municipalities so as to increase the population requirements for the incorporation of an unincorporated community.

By Rep. Edwards:

H. 61. To amend Sections 11-42-21 and 11-42-22, Code of Alabama 1975, to eliminate the population requirements and thereby make the Sections applicable to all incorporated municipalities.

By Rep. Warren:

H. 94. Authorizing certain governmental entities to voluntarily contribute or otherwise appropriate at their discretion certain public funds for the support of juvenile probation services in their respective jurisdictions.

By Rep. Sandusky:

H. 201. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Owens (With Amendment):

H. 336. To authorize municipal corporations to levy additional fees and to provide for the use of said fees.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Naramore:

H. 640. To create mine rescue stations within the State of Alabama as a part of the Division of Safety and Inspection of the Department of Industrial Relations; to provide for the location, training, compensation, benefits, qualifications and employment status of said station members; and to provide requirements of recovery work.

By Rep. Adams (H):

H. 668. Relative to Class 4, 5, 7 and 8 municipalities, to amend Section 9 of Act No. 79-722 to provide for the sale or lease of municipal property not needed for municipal or public purposes for use by a commercial enterprise in furnishing hotel services.

Mr. Teague, Chairman of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Cheatwood:

H. 241. To amend Section 11-50-393, Code of Alabama 1975, so as to authorize and increase in the fees payable to members of the board of directors; to provide for the election of a chairman of the board of directors; to provide an effective date.

By Reps. Laird, Mitchell, Langford, Kennedy, Moore, Johnson (R. G.), Letson, Brakefield, Boles, Riddick, Penry, Whatley, Trammell and Reed:

H. 339. To amend Section 37-1-58, Code of Alabama 1975, which relates to the filing of annual return of business by utilities doing business in the State of Alabama so as to allow utilities the option of filing annual business reports on either a fiscal or calendar year basis.

Mr. Mitchem, Chairman of the Standing Committee on Agriculture, Conservation and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Biddle, Willis, and Brakefield:

H. 80. To amend Sections 9-11-44, 9-11-47 and 9-11-49, Code of Alabama 1975, relating to certain resident and nonresident hunting licenses so as to increase the license fees for nonresident licenses, set the expiration date, provide for the contents of the license, set certain penalties and set the maximum number of deer which may be taken under a nonresident license.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Moore (with notice and proof):

H. 437. Relating to Shelby County; providing further for additional levy of court costs and the collection and distribution of such court costs, on the service of certain court action, instituted outside the State of Alabama, whether at law or equity; and prescribing that all revenue thereby generated shall be deposited into the "Sheriff's Department Fund" of the county general fund.

By Rep. Langford (with notice and proof):

H. 544. Relating to Montgomery County; providing further for the salary of the district judges, effective upon the next term of office.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (T) (with notice and proof) (With Amendment):

H. 597. Relating to Mobile County and specifically to the Mobile Board of School Commissioners and all full-time employees of the Board requiring use of funds from certain portions of revenue received from ad valorem taxes.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Holmes and Wyatt (with notice and proof):

H. 710. Relating to Montgomery County; to provide an additional expense allowance for the members of the Board of Education.

By Reps. Moore, Waggoner and Smith (C) (with notice and proof):

H. 738. Relating to Shelby County; providing for an increase in salary for the part-time bailiffs of said county.

By Reps. Moore, Waggoner and Smith (C) (with notice and proof):

H. 739. Relating to Shelby County; to provide for the mailing addresses of the grantors and grantees to appear on all conveyances of real property recorded in the probate office of such county.

By Rep. Clark (G) (with notice and proof):

H. 753. To levy additional county sales and use taxes in Pickens County for public school purposes in said county; to provide for the collection, distribution, and use of such taxes; to provide for the enforcement of the Act; to provide for severability; to provide the effective date hereof and for the substitution of the taxes levied hereby; and to prescribe penalties for violation of this Act.

By Rep. Langford (with notice and proof):

H. 763. Relating to Montgomery County, Alabama; providing for an expense allowance for the tax assessor and tax collector; providing for the termination of such allowance; and establishing the effective date of this Act.

By Reps. Adams (C) and Whatley (with notice and proof):

H. 805. Relating to Russell County; repealing Act No. 436, H. 923, 1975 Regular Session (Acts 1975, p. 1048), which provides for the jurisdiction of the Inferior Court, the compensation of the judge and constables, and the duties of the clerk of said court.

By Reps. Adams (C) and Whatley (with notice and proof):

H. 806. Relating to Russell County; repealing Act No. 502, H. 2087, 1971 Regular Session (Acts 1971, p. 1220), which is a population based bill that provides for the compensation of the judges, constables and clerks of the county.

Mr. deGraffenried, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Amari, Bennett and Cabaniss:

H. 325. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools and to provide penalties for failure to report said incidents.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Ray, Bedsole, Whatley, Penry, Daniels, McMillan and Turner:

H. 780. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

Mr. Smith, Chairman of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. McMillan (With Substitute):

H. 583. To amend Section 11-89A-8 of the Code of Alabama 1975, relating to the organization of disposal authorities by counties and municipalities so as to prohibit infringements upon private sales of recyclable materials.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Cobb (with notice and proof):

H. 766. Relating to Marion County; to provide further for the compensation of the employees of the sheriff's office.

By Rep. Willis (with notice and proof):

H. 772. To provide for the minimum compensation for all deputy sheriffs in Calhoun County, Alabama.

By Rep. Campbell (with notice and proof):

H. 814. To amend Act No. 79-157, S. 222, 1979 Regular Session (Acts 1979, p. 256), which act establishes a policemen's and firemen's retirement fund for the City of Anniston, so as to empower the Board of Trustees with the authority to amend the benefit formula contained in said act; to empower the Board to employ the services of an actuary and to provide for the minimum qualifications of such actuary.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Owens:

H. 480. To provide a sixteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

By Rep. Riddick:

H. 768. To authorize any industrial development board, heretofore or hereafter organized under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, or Article 4 of Chapter 54 of Title 11 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, use, operate, lease and dispose of, certain facilities for the use of any such industrial development board and certain other organizations, associations and foundations.

By Reps. Drinkard and Ford:

H. 542. To provide that the State Personnel Board, with the approval of the Governor, may provide that the State shall pick-up member contributions to the Employees' Retirement System of Alabama and that such contributions shall be treated as employer contributions for federal income tax purposes but shall continue to be treated as before for all other state law purposes and to further provide that the Supreme Court of Alabama may provide that the State and counties shall pick-up member contributions to the Judicial Retirement Fund and that such contributions shall be treated as employer contributions for federal tax purposes but shall continue to be treated as before for all other state law purposes.

By Rep. Gafford:

H. 265. To provide that any justice or judge of the supreme court or a court of appeals who was holding office with such court on or before June 1, 1976, and who had time of service as a full-time state prosecutor or assistant prosecutor may have such service credited as time in a judicial position with the Judicial Retirement System; to provide that such credit shall be limited to 5 years; to provide that any such justice or judge must pay into the Judicial Retirement Fund a sum equal to 6% of his then annual salary for each year of such credit desired; and to further provide a one year period in which such election and purchase shall be completed.

By Reps. Williams, Sasser, Grimsley and Daniels:

H. 253. Relating to the eradication and control of swine diseases: to make an appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1983, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Rep. Sandusky:

H. 565. To create a fund for the Alabama alcoholic beverage control board to be used for inventory purposes by providing that no taxes collected

on alcoholic beverages sold by said board or such funds distributed as net profits by said board shall be distributed for at least 25 days by October 1, 1983, for at least 55 days by September 30, 1984, for at least 85 days by September 30, 1985, for at least 115 days by September 30, 1986, for at least 120 days by September 30, 1987 and thereafter, after the close of the month in which said taxes have been collected or such funds distributed as net profits are realized; to provide that any funds now accumulated as a working capital fund or reserve shall be distributed to the several beneficiaries on the same basis as withheld; to provide that all laws or parts of laws in conflict or inconsistent herewith are repealed; to provide an effective date.

By Reps. Cosby, Edwards and Harper (T):

H. 204. To make an appropriation from the state general fund for the relief of Linda Roberts of Dallas County who was gravely injured by two state prisoners who had escaped after being incarcerated in a county jail facility.

By Rep. Owens:

H. 697. To make an additional appropriation for salaries and other expenses for the use of the Legislature.

By Rep. Coburn:

H. 5. To amend Section 40-9-40 and Section 40-9-43, Code of Alabama 1975, relating to ten year exemptions to new industries from county and municipal ad valorem taxes except for any schools and school district purposes, and from state ad valorem taxes, so as to authorize the same exemption to existing industries purchased and operated by employees as an alternative to plant closure and loss of employment and livelihood.

By Rep. Hines:

H. 585. To make a conditional appropriation to the Board of Corrections for the fiscal year ending September 30, 1982.

By Rep. Jackson:

H. 529. To amend sections 21-3-1, 21-3-2, 21-3-4, 21-3-5 and 21-3-8 of the Code of Alabama 1975 relating to crippled and disabled children, so as to include children with sickle-cell anemia within its provisions.

By Rep. Payne:

H. 687. To amend Section 40-18-19, so as to provide that the retirement pay of certain peace officers shall be exempt from state and local income tax the same as retirement pay of school teachers, state employees and civil service retirees.

By Rep. Sasser:

H. 134. To amend Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline, motor fuel and lubricating oil by postsecondary state institutions shall be exempt from taxation under the levy provided for in Section 40-17-220, Code of Alabama, 1975.

By Reps. Zoghby and Waggoner:

H. 509. To authorize voluntary income tax check-off for support of the arts; to establish the Arts Development Fund from the net proceeds generated from such contributions; to provide for the distribution of such funds to

certain tax exempt organizations or associations which encourage the development of high quality and significant art and cultural activities or facilities; to prescribe certain responsibilities for the Commission of Revenue in collecting such funds and forwarding the proceeds to the State Treasurer for deposit in the general fund of the state treasury in a fund designated "Arts Development Fund"; to provide for continuous appropriations from such fund to the Council on the Arts and Humanities for the purposes of this act and Sections 41-9-40 through 41-9-47 of the Code of Alabama 1975, relating to the powers, duties and responsibilities of the said council; to prescribe the substantial content for tax returns to provide for such contributions; to provide that such funds shall be supplemental and shall not be construed to be in lieu of annual appropriations; and to provide for an effective date.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Owens (With Substitute):

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983; and to provide that certain employees shall be brought up to the normal step under the state pay plan; and to appropriate funds.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Grouby:

H. 73. To provide for a state income tax refund check-off designation for the support of nongame or game wildlife programs in Alabama.

By Rep. Jackson:

H. 528. To prohibit certain insurance companies from denying certain coverage because a person has sickle-cell anemia.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers, Daniels, Johnson (R. G.), Warren and Williams (With Substitute):

H. 108. To amend Section 16-25-3, Code of Alabama 1975, to provide for the reopening of the teacher's retirement system so as to allow certain members to repay on or before the date of their retirement any contributions previously withdrawn plus interest.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Owens (With Amendment):

H. 221. To further provide for taxation relating to the sale of alcoholic beverages; to levy an additional state sales tax on the sale of alcoholic

beverages sold at retail in Alcoholic Beverage Control Board stores; to provide that the revenues produced from the additional tax shall be collected by the Alcoholic Beverage Control Board and paid to the Department of Revenue for distribution; to allow the Department of Revenue to retain a reasonable sum for the cost of collection and redistribution of the net proceeds; to prescribe that all net proceeds generated by this act shall be distributed to the counties and municipalities in which the taxes are collected; to provide that the tax proceeds distributed to counties shall be used by those counties for law enforcement purposes; and to prohibit any county or municipality which receives proceeds pursuant to the provisions of this act from levying any additional taxes on the sale of alcoholic beverages which would be collected by the Alabama Alcoholic Beverage Control Board or its stores.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Gilmer:

H. 609. To provide for and prescribe time limits in which proceeds derived from the sale of oil and gas productions shall be paid to the person or persons legally entitled thereto and to further prescribe interest penalties for failure to meet the said limits.

By Rep. Campbell:

H. 70. To provide that certain retirement income of military personnel shall be exempt from state, county and municipal income taxes; to amend Section 40-18-20 of the Code of Alabama 1975, so as to increase the amount of retirement income that shall be exempt from taxation; to provide for different amounts of such exemption to become effective at subsequent dates.

By Reps. Naramore, Waggoner, Hall, Patton, Roberts, Bowling, Olive, Howard, Trammell, Starkey Wyatt, Coburn, Albright, Sasser, Williams, Blake, Harper (O), Laird, Escott, Brakefield, Higginbotham, Campbell, Zoghby, Langford, Mitchell, Bedsole, Biddle, Cheatwood, Moore, Boles, Gafford, Letson, Rains, Kelley, Stewart, Turnham, Bennett and Holmes:

H. 147. To extend the state employees' retirement system and any state employees' insurance plan to members of the legislature, who for the purpose of coming within the provisions of these plans shall be considered "state employees"; providing that the legislators shall on a voluntary basis elect whether or not they choose to take part in the retirement system or insurance plan; and that the total compensation paid members of the Legislature including per diem, wages, fees, travel and expense allowances and all other forms of compensation shall, for the purposes of this Act, be considered as salary for the purpose of making deductions for the insurance and retirement plans.

Mr. Pearson, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Rep. Sasser (With Amendments):

H. 595. To create the Alabama Educational Television Foundation Authority as a public non-profit corporation; to prescribe the powers of such

authority; to prescribe that such authority may receive, invest and expend donated monies for educational and eleemosynary purposes related to the support, promotion, development and growth of educational activities and public broadcasting and television in Alabama; to prescribe that such authority shall be exempt from all taxes, whether state, local or municipal; to provide for the membership of the authority, their qualifications and terms of office; to prescribe that the general manager of the state's public educational network shall be an ex officio non-voting member of the authority; and to prescribe that the Alabama Educational Television Commission shall continue as the governing body of the Alabama public network.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Clark (W), Buskey and Harper (T) (with notice and proof) (With Amendment):

H. 598. Relating to Mobile County; providing that the board of registrars shall appoint one or more deputy registrars for each municipality to take applications for voter registration one day each week.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Smith (J) and Riddick (with notice and proof):

H. 601. Relating to Madison County; prescribing certain bond requirements for bondsmen and the criteria for determining such requirements.

By Rep. Albright (with notice and proof):

H. 712. Relating to Madison County; providing expense allowances for certain county officials.

By Rep. Zoghby (with notice and proof):

H. 727. Relating to Mobile County and the members of the board of registrars; providing for the meeting dates for voter registration and voter reidentification, transportation and expense allowances for said members, and specifically repealing the following acts, all relating to meeting dates and expense allowances applicable to Mobile County Board of Registrars: Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

By Rep. Hall (with notice and proof):

H. 749. Relating to Madison County; authorizing the sheriff to charge a fee for fingerprinting certain persons; and providing for the distribution and auditing of such fees.

By Rep. Hall (with notice and proof):

H. 750. Relating to Madison County; authorizing the sheriff to operate a jail store; and providing for the distribution and auditing of moneys earned.

By Rep. Bedsole (with notice and proof):

H. 769. Relating to Mobile County and the members of the board of registrars; providing for the meeting locations for voters registration and voter reidentification; and repealing the following acts relating to the Mobile County Board of Registrars; Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

By Reps. McMillan and Penry (with notice and proof):

H. 773. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Loxley in Baldwin County.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Dial (with notice and proof) (With Amendment):

H. 788. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Mr. Smith (With Substitute) (With Amendments):

S. 420. To amend Sections 32-5A-191 and 32-6-19 of the Code of Alabama 1975, relating to the driver of motor vehicles, so as to prescribe additional penalties for physical injuries caused to another person while driving under the influence of alcohol or controlled substances and to any person who drives a motor vehicle while his driver's license is cancelled, suspended or revoked.

By Messrs. Smith and McDonald:

S. 483. To amend Act No. 81-663, Regular Session 1981, to further define prescription drugs and to specifically exempt colostomy bags and attachments from state gross sales taxes.

RESOLUTION

Mr. Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 251. COMMENDING GORDON R. SHEWMAKE, ALABAMA STATE COMMANDER OF THE VETERANS OF FOREIGN WARS.

WHEREAS, the Legislature of Alabama takes great pride in noting the numerous accomplishments and contributions of Mr. Gordon R. Shewmake, Alabama State Commander of the Veterans of Foreign Wars; and

WHEREAS, a native of Montgomery, Alabama, he entered the Army Air Corps in 1946 and served with the Occupation Forces in Japan; he served in Korea for 17 months, in Utaepo, Thailand, during the Viet Nam Conflict and, after 23 years of active service, retired in 1969; and

WHEREAS, Commander Shewmake has been dedicated to the Veterans of Alabama and to providing service to their widows and orphans as a member of the Veterans of Foreign Wars for over 30 years; and

WHEREAS, he has served the V.F.W. in numerous capacities including Trustee, Junior Vice Commander, Senior Vice Commander and as Commander in 1977-78; Chairman, Poster-Illustration Contest (Handicapped) in 1978-79; National Aide-de-Camp to the Commander in Chief 1978-79; State Junior Vice Commander, State Senior Vice Commander, and was elected State Commander at the State Convention held in Birmingham, June 28, 1981, for the year 1981-82; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate State Commander Gordon R. Shewmake, from Selma Post 3016, for his outstanding service and contributions to the veterans of our state and direct that he receive a copy of this resolution as evidence of our esteem, appreciation and praise.

On motion of Mr. Goodwin, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 308. Relating to the city of Chickasaw; providing, after notice is given, for the removal or demolition of buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; providing for a hearing by the governing body upon request; authorizing that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and providing a method of collecting such assessments.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Proctor
Bailey	Hall	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Keener	Parsons	Weeks
Figures	Kirkland	Pearson	White
Glass	Lemaster		

—25

Nays: —0

The Bill:

H. 557. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Notasulga, in Macon and Lee Counties.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Gulledge	McDonald	Robertson
Britnell	Hall	Miller	St. John
Cook	Higginbotham	Mitchem	Smith
Denton	Holmes	Parsons	Taylor
Figures	Keener	Pearson	Weeks
Glass	Kirkland		

—25

Nays:

—0

The Bill:

H. 641. To establish minimum age requirements for admission into Mobile County Public Kindergartens.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor
Bailey	Hilliard	McDonald	Smith
Callahan	Holmes	Miller	Taylor
Cook	Keener	Mitchem	Vacca
Figures	Kirkland	Parsons	Weeks
Glass	Lemaster	Pearson	White
Gulledge	Little		

—25

Nays:

—0

The Bill:

H. 661. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessment.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Hilliard	Miller	Smith
Callahan	Holmes	Mitchem	Taylor
Cook	Keener	Parsons	Vacca
Figures	Kirkland	Pearson	Weeks
Glass	Lemaster	Proctor	White
Gulledge	Little		

—25

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and

Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 91. Relating to Class I municipalities, and any municipality having a population of 250,000 or more according to the last or any subsequent federal decennial census, to authorize the Mayor of any such municipality in this state to employ for and on behalf of said municipality a Chief Administrative Assistant to the Mayor, to provide how the maximum salary of the Chief Administrative Assistant shall be determined by the Mayor, to preserve salary and merit system rights of classified employees appointed to the Mayor's staff, and to provide that such employee shall not be subject to any merit system while serving on the Mayor's staff but shall be a member of any pension system applicable to merit system employees, provided application for such membership be made within thirty (30) days of appointment.

Also:

S. 484. Relating to Escambia County; providing supplemental fee allowances for constables; and providing for additional court costs.

Also:

S. J. R. 226. MEMORIALIZING CONGRESS TO REINSTATE THE BURIAL ALLOWANCE AFFORDED CERTAIN VETERANS.

Also:

S. J. R. 227. MEMORIALIZING THE CONGRESSIONAL DELEGATION OF THE STATE OF ALABAMA TO OPPOSE ANY CURTAILMENT OF MEDICAL CARE FOR VETERANS.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 682. To authorize the creation of a public corporation in Bayou La Batre, Mobile County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations thereof; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the

cost of such projects; exempting such bonds and the property of the corporation from taxation; and providing that no debt of a state, political subdivision or any municipality thereof shall be incurred in the exercise of any of the powers granted by this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Callahan	Keener	Mitchem	Taylor	
Figures	Kirkland	Parsons	Vacca	
Glass	Lemaster	Pearson	Weeks	
Gulledge	Little	Proctor	White	
Hall	Martin			—25

Nays:

—0

The Bill:

H. 752. Relating to Cherokee County; to provide for the construction, repair and maintenance of County Roads as a unit without regard to District or Beat lines.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	McDonald	St. John	
Bailey	Hall	Miller	Smith	
Britnell	Hilliard	Mitchem	Taylor	
Cook	Keener	Parsons	Vacca	
Denton	Lemaster	Pearson	Weeks	
Figures	Little	Proctor	White	
Glass	Martin			—25

Nays:

—0

The Bill:

H. 778. Relating to Mobile County; amending further section 1 of Act No. 80-342, H. 917, 1980 Regular Session (Acts 1980, p. 464) relating to an idle speed zone for boats on Halls Mill Creek, so as to provide that the Alabama Marine Police shall erect signs to indicate such zone.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor	
Bailey	Hilliard	McDonald	Smith	
Callahan	Holmes	Miller	Taylor	
Cook	Keener	Mitchem	Vacca	
Figures	Kirkland	Parsons	Weeks	
Glass	Lemaster	Pearson	White	
Gulledge	Little			—25

Nays:

—0

The Bill:

H. 791. Relating to Fayette County; to establish a special fund in the county treasury to pay a bounty to any resident of Fayette County on certain beaver trapped or killed in Fayette County; to provide for the administration of said fund and bounty system; and to prescribe punishment for any person found guilty of falsely making claim for a bounty.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Proctor
Britnell	Hall	Martin	Smith
Cook	Hilliard	Miller	Taylor
Denton	Holmes	Mitchem	Vacca
Figures	Keener	Parsons	Weeks
Glass	Kirkland	Pearson	White
Goodwin	Lemaster		

—25

Nays:

—0

The Bill:

H. 792. Relating to Fayette County; to provide for the expense allowance of Board of Education members; to repeal all prior laws providing for the compensation of Board Members; and to provide for the location of board meetings.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Britnell	Hilliard	Miller	Smith
Cook	Holmes	Mitchem	Taylor
Denton	Keener	Parsons	Vacca
Figures	Kirkland	Pearson	Weeks
Glass	Lemaster	Proctor	White
Goodwin	Little		

—25

Nays:

—0

The Bill:

H. 793. Relating to Fayette County; to provide that 10% of all funds accruing to Fayette County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Figures	Goodwin
Britnell	Denton	Glass	Hall

Hilliard	Little	Pearson	Taylor	
Holmes	Martin	Proctor	Vacca	
Keener	Miller	St. John	Weeks	
Kirkland	Mitchem	Smith	White	
Lemaster	Parsons			—25

Nays: —0

The Bill:

H. 795. Relating to Lamar County; to provide for the expense allowance of board of education members; to repeal all prior laws providing for the compensation of board members; and to provide for the location of board meetings.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor	
Bailey	Hall	Martin	Smith	
Britnell	Hilliard	Miller	Taylor	
Cook	Holmes	Mitchem	Vacca	
Denton	Keener	Parsons	Weeks	
Figures	Kirkland	Pearson	White	
Glass	Lemaster			—25

Nays: —0

The Bill:

H. 797. Relating to Lamar County; to alter the compensation of the members of the county commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	Smith	
Bailey	Hall	Miller	Taylor	
Britnell	Hilliard	Mitchem	Teague (J)	
Cook	Holmes	Parsons	Vacca	
Denton	Keener	Pearson	Weeks	
Figures	Kirkland	Proctor	White	
Glass	Little			—25

Nays: —0

The Bill:

H. 798. Relating to Barbour County; providing for a salary supplement for the district attorney.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 798, To-wit:

COMMITTEE SUBSTITUTE FOR H. B. 798

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County; providing for a salary supplement for the district attorney.

Be It Enacted by the Legislature of Alabama:

Section 1. Immediately upon the effective date of this act, the district attorney may, at the discretion of the county commission, receive a supplemental salary, payable in equal monthly installments from the general fund of Barbour County, in an amount equal to fifteen percent of the prevailing salary paid to circuit judges by the state. Such supplement may be paid in addition to all other supplemental or expense payments heretofore authorized by law for such district attorney.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Goodwin	Lemaster	Pearson	
Bailey	Gulledge	Little	Proctor	
Callahan	Hall	Martin	St. John	
Cook	Higginbotham	Miller	Smith	
Denton	Holmes	Mitchem	Taylor	
Figures	Keener	Parsons	White	
Glass	Kirkland			—25

Nay: Mr. Weeks. —1

And said Bill, H. B. 798, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Pearson	
Bailey	Gulledge	Little	Proctor	
Callahan	Hall	Martin	Smith	
Cook	Higginbotham	Miller	Taylor	
Denton	Holmes	Mitchem	Teague (J)	
Figures	Keener	Parsons	Weeks	
Glass	Kirkland			—25

Nays: —0

The Bill:

H. 800. Relating to Calhoun County; amending Act No. 274, H. 990, Regular Session 1975 (Acts 1975, p. 809), which relates to the civil service board, so as to allow department heads to choose from a greater number of applicants on the list furnished by the board.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	McDonald	St. John	
Bailey	Hall	Miller	Smith	
Britnell	Holmes	Mitchem	Taylor	
Cook	Kirkland	Parsons	Teague (J)	
Denton	Lemaster	Pearson	Weeks	
Figures	Little	Proctor	White	
Glass	Martin			—25

Nays: —0

The Bill:

H. 801. Relating to Morgan County; to provide for the adoption and publication of certain motor vehicle weights and limits, which shall be deemed as adequate notice for purposes of penalizing offenders.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Miller	Taylor	
Bailey	Hall	Mitchem	Teague (B)	
Britnell	Holmes	Parsons	Teague (J)	
Cook	Keener	Pearson	Vacca	
Denton	Kirkland	Proctor	Weeks	
Figures	Little	St. John	White	
Glass	Martin			—25

Nays: —0

The Bill:

H. 802. Relating to Morgan County; to authorize the county to contract with any municipality within Morgan County and any municipality within Morgan County to contract with Morgan County to lease or sell to each other used equipment and/or other materials or items used or usable by counties and municipalities and to make street signs and sell the same to municipalities all without advertising for bids.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Glass	Miller	Taylor	
Bailey	Goodwin	Mitchem	Teague (B)	
Britnell	Hall	Parsons	Teague (J)	
Callahan	Holmes	Pearson	Vacca	
Cook	Keener	Proctor	Weeks	
Denton	Little	St. John	White	
Figures	Martin			—25

Nays: —0

The Bill:

H. 807. Relating to Russell County; providing for the districts and election of the members of the county board of education.
was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Glass	Little	Proctor
Bailey	Goodwin	Martin	Smith
Eritnell	Gulledge	Miller	Taylor
Callahan	Hall	Mitchem	Vacca
Cook	Higginbotham	Parsons	Weeks
Denton	Holmes	Pearson	White
Figures	Keener		

—25

Nays: —0

The Bill:

H. 809. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service of summoning witnesses and summons and complaints in Henry County so that such service and subpoenas may be by United States mail in the county under certain conditions.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Kirkland	Parsons
Bailey	Gulledge	Lemaster	Pearson
Callahan	Hall	Little	Proctor
Cook	Harrison	Martin	Smith
Denton	Hilliard	Miller	Taylor
Figures	Holmes	Mitchem	Weeks
Glass	Keener		

—25

Nays: —0

The Bill:

H. 815. Relating to Macon County; to authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Macon County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Goodwin	Keener
Bailey	Denton	Gulledge	Kirkland
Britnell	Figures	Hall	Lemaster
Callahan	Glass	Holmes	Little

Martin	Pearson	Taylor	Teague (J)	
Miller	Proctor	Teague (B)	Weeks	
Parsons	Smith			—25
<i>Nays:</i>				—0

The Bill:

H. 817. Relating to Fayette County; to alter the compensation of the members of the county commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Proctor	
Britnell	Hall	McDonald	Smith	
Cook	Hilliard	Miller	Taylor	
Denton	Holmes	Mitchem	Vacca	
Figures	Keener	Parsons	Weeks	
Glass	Lemaster	Pearson	White	
Goodwin	Little			—25
<i>Nays:</i>				—0

The Bill:

H. 216. Relating to Mobile County; to alter or rearrange the boundary lines of the Town of Creola.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 216, to-wit:

COMMITTEE AMENDMENT TO H. B. 216

Amend H. 216 by changing the period after the word "beginning" on page 2, line 25 to a semicolon, and adding the following at the end of Section 1:

"Less and except the Southeast Quarter of the Southeast Quarter of Section 36, Township 1 South, Range 1 West, Mobile County, Alabama, such lands consisting of 40 acres more or less."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	St. John	
Bailey	Hilliard	Miller	Smith	
Callahan	Holmes	Mitchem	Taylor	
Cook	Keener	Parsons	Vacca	
Figures	Lemaster	Pearson	Weeks	
Glass	Little	Proctor	White	
Gulledge	Martin			—25
<i>Nays:</i>				—0

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And said Bill, H. B. 216, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	St. John
Bailey	Hilliard	Miller	Smith
Callahan	Holmes	Mitchem	Taylor
Cook	Keener	Parsons	Vacca
Figures	Lemaster	Pearson	Weeks
Glass	Little	Proctor	White
Gulledge	Martin		

—25

Nays: —0

The Bill:

H. 306. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Mobile County, Alabama.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 306, to-wit:

COMMITTEE AMENDMENT TO H. B. 306

Further amend H. B. 306 (as amended), on page 3, line 15, after the period, by inserting the following:

Provided, further, all property located North of Interstate Highway 65 and located in Section 11 or 12, is specifically excluded from this description.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John
Bailey	Holmes	Miller	Smith
Callahan	Keener	Mitchem	Taylor
Figures	Kirkland	Parsons	Vacca
Glass	Lemaster	Pearson	Weeks
Gulledge	Little	Proctor	White
Hall	Martin		

—25

Nays: —0

And said Bill, H. B. 306, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Callahan	Figures	Gulledge
Bailey	Cook	Glass	Hall

Holmes
Keener
Kirkland
Lemaster
Little

Martin
McDonald
Miller
Mitchem
Parsons

Pearson
Proctor
St. John
Smith

Taylor
Vacca
Weeks
White

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 55. Relating to Walker County; to provide that all telephone calls that originate and terminate in Walker County, except those to and from telephones served by an exchange in Jefferson County, shall be charged as local calls; to provide that all costs of such service be borne by the telephone subscribers in Walker County affected by the service, to provide the procedures for the Public Service Commission and the telephone companies to follow in implementing the provisions of this act.

Also:

H. J. R. 336. COMMENDING DR. JAMES R. CHASTEEN, RECIPIENT OF "OUTSTANDING ADMINISTRATOR" AWARD.

Also:

H. J. R. 345. URGING THE EXPEDITIOUS IMPLEMENTATION OF THE 1980-81 PAY AND CLASSIFICATION FOR STATE EMPLOYEES WITH CERTAIN RECOMMENDATIONS.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 761. Relating to Pickens County; providing for an increase in court costs and providing for the disposition of the proceeds from such increase; and providing for the conditions upon which the provisions of this act shall become effective.

Also:

H. 762. Relating to Pickens County; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring

certain duties and responsibilities of the county revenue commissioner to the probate judge requiring an additional bond of the probate judge; providing for the payment of fees and commissions to the probate judge of the county, the distribution of the taxes to municipalities and the state, and the payment of commissions to the judge of probate; and defining terms.

Also:

H. 765. Relating to Perry County; providing for an expense allowance for members of the board of education and repealing Act No. 187, S. 134, 1971 2nd Special Session, (Acts 1971, p. 4448).

Also:

H. 767. Relating to Lawrence County; to rearrange the boundaries of the City of Moulton, so as to exclude from the corporate limits of said city certain territory within such limits.

Also:

H. 771. To amend Section 1 of Act No. 312, H. 461 of the 1973 Regular Session of the Legislature (Acts 1973, p. 443), relating to branch banking in Marion County, Alabama, so as to provide that any bank in Marion County shall be permitted to branch into any municipality in the county that does not presently have banking facilities.

Also:

H. 774. To provide the sheriff's department of Baldwin County with a specific number of employees, establish the rate of compensation for said employees and provide training of such employees.

Also:

H. 775. Relating to Baldwin County; to authorize the county commission, in its discretion, to appropriate funds from the county general fund to be expended by the sheriff to conduct investigations and to enforce the laws relating to the possession and sale of drugs and controlled substances.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 252. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-eighth legislative day of the 1982 Regular Session only:

BILL NO.	PAGE NO.	DESCRIPTION
S. B. 394	45	Public Contracts, manner of awarding alt.
S. B. 312	121	Madison, fire damaged Central Sch., approp.
S. B. 514	76	Securities, pledging of letters of credit
H. B. 165	112	St. wide beer tax
S. B. 543	111	Alabama Indian Affairs Comm., created
S. B. 526		
S. B. 537	105	Insurance, mental health, psy. serv.
S. B. 34	6	Welcome centers, bids on food concessions
S. B. 355	77	Marine Police Division transferred to Public Safety
S. B. 297	31	Handgun ammunition, teflon coating, proh.
S. B. 399	95	Child support payments, courts to withhold
B. B. 476	91	Small Loan Act, report of lic.
S. B. 538		
S. B. 290	37	Attorney General's Investigators, auth
S. B. 292	29	Criminal work release program, failure to ret.
S. B. 507		
H. B. 301	130	Dept. of Agr. & Ind. travel
H. B. 331	92	Diesel fuel sellers
S. B. 173		
S. B. 490	97	Alabama Uniform Parentage Act, adopted
S. B. 434	96	Reciprocal State Enf. of Duty to support law
S. B. 498	98	Reciprocal State Enforcement of Duty to Support Law, altered
S. B. 500	93	Parent Locator Office, regu.
S. B. 317	55	Elections, voter reg. file maint. sys.
S. B. 244	35	TRS, Alabama Voc. Assoc., may join
S. B. 455	71	Board of Corrections, cond. approp.
S. B. 280	25	Egg producers, assessment of monies, ref.
S. B. 281	26	Poultry & eggs, promotion of
S. B. 282	26	Poultry & eggs, promotion of c/a
S. B. 473	87	Unemployment Compensation, method of finan. by employer

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S. B. 395	47	Alcoholic bev. control bd., inv. fund created
S. B. 437	91	Civil Actions, evidence re: reimbursement
S. B. 415	58	Alabama Hospital Care Service Price Dis.
S. B. 433	66	Alcoholic Bev., manufacturers & importers regu.

On motion of Mr. McDonald, said Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 89. To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for six members of the Mayor's staff not subject to any merit system, and to provide how the maximum salary of such staff assistants shall be determined by the Mayor, and for the protection of salary and other rights of merit system employees appointed hereunder, and for the inclusion of appointees in the general pension system of the municipality upon application for such membership within thirty (30) days of appointment.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

RECESS

At 12:15 P.M., on motion of Mr. Hall, the Senate took a recess until 1:15 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor McMillan. A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

S. 469. To add a Subsection 4 to Section 11-54-80 of the Code of Alabama of 1975, as amended, to include hydroelectric utility facilities in the definition of projects qualifying to be financed through Industrial Development Boards.

was taken up.

Mr. Miller requested and received permission to take up the Bill:

H. 659. To add a Subsection 4 to Section 11-54-80 of the Code of Alabama of 1975, as amended, to include hydroelectric utility facilities in the definition of projects qualifying to be financed through Industrial Development Boards.

in place of S. B. 469.

And said Bill, H. B. 659, was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Pearson
Britnell	Hall	Little	Proctor
Callahan	Harrison	McDonald	Teague (B)
Cook	Higginbotham	Miller	Vacca
Denton	Keener	Mitchem	Weeks

—19

Nays:

—0

The Bill:

S. 196. To provide for a state income tax refund checkoff designation for the support of nongame wildlife programs in Alabama.

was taken up.

On motion of Mr. Little, further consideration of the Bill, S. B. 196, was postponed temporarily.

The Bill:

S. 471. To provide that the retirement income of military personnel shall be exempt from state, county and municipal income taxes the same as the exemptions provided for by sub-sections (a) (1) (2) (3) of Section 40-18-19 Code of Alabama 1975.

was taken up.

On motion of Mr. Miller, further consideration of the Bill, S. B. 471, was postponed temporarily.

The Bill:

S. 380. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

was taken up.

On motion of Mr. Taylor, further consideration of the Bill, S. B. 380, was postponed temporarily.

The Bill:

S. 420. To amend Sections 32-5A-191 and 32-6-19 of the Code of Alabama 1975, relating to the driving of motor vehicles, so as to prescribe additional penalties for physical injuries caused to another person while driving under the influence of alcohol or controlled substances and to any person who drives a motor vehicle while his driver's license is cancelled, suspended or revoked.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 420, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 420

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 32-5A-191 and 32-6-19 of the Code of Alabama 1975, relating to the driving of motor vehicles, so as to prescribe additional penalties for physical injuries caused to another person while driving under the influence of alcohol or controlled substances and to any person who drives a motor vehicle while his driver's license is cancelled, suspended or revoked.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 32-5A-191 of the Code of Alabama 1975, is hereby amended to read as follows:

"§ 32-5A-191.

"(a) A person shall not drive or be in actual physical control of any vehicle while:

"(1) There is 0.10 percent or more by weight of alcohol in his blood;

"(2) Under the influence of alcohol;

"(3) Under the influence of a controlled substance to a degree which renders him incapable of safely driving; or

"(4) Under the combined influence of alcohol and a controlled substance to a degree which renders him incapable of safely driving.

"(b) The fact that any person charged with violating this section is or has been legally entitled to use alcohol or a controlled substance shall not constitute a defense against any charge of violating this section.

"(c) Upon first conviction, a person violating this section shall be punished by imprisonment in the county or municipal jail for not more than one year, or by fine of not less than \$100.00 nor more than \$1,000.00, or by both such fine and imprisonment. In addition, on a first conviction, the court trying the cause may prohibit the person so convicted from driving a motor vehicle upon the highways of this state for a period of not more than six months. First time offenders convicted of driving while under the influence of alcohol shall also be required to complete a DUI court referral program approved by the state administrative office of courts. Neither reckless driving nor any other traffic infraction is a lesser included offense under a charge of driving while under the influence of alcohol or controlled substances.

"(d) On a second or subsequent conviction within a five-year period, the person convicted of violating this section shall be punished by a fine of not less than \$200.00 nor more than \$1,500.00 or by imprisonment in the county or municipal jail for not more than one year, or by both such fine and imprisonment. In addition, the director of public safety shall revoke the driving privilege or driver's license of the person so convicted for a period of six months.

"(e) Whosoever shall cause physical injury as defined in Title 13A of the Code of Alabama 1975, to another person, while engaged in any violation of this section and such violation is the proximate cause of said physical injury, shall upon the first and any subsequent conviction be punished by imprisonment for at least 48 hours and not more than the penalties prescribed in subsections (c) and (d) of this section.

"(f) (e) All fines collected for violation of this section resulting from arrests by state officers shall be paid into the state general fund; all fines so collected for violations resulting from arrests by county or municipal officers shall be disbursed as is otherwise provided by law."

Section 2. Section 32-6-19 of the Code of Alabama 1975, is hereby amended to read as follows:

"§ 32-6-19.

"Any person whose driver's or chauffeur's license issued in this or another state or whose driving privilege as a nonresident has been cancelled, suspended or revoked as provided in this article or article 9 of chapter 5A of this title and who drives any motor vehicle upon the highways of this state while such license or privilege is cancelled, suspended or revoked shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25.00 nor more than \$500.00, and in addition thereto shall may be imprisoned for not less than 48 consecutive hours nor more than 30 days. Also, at the discretion of the director of public safety, such person's license may be revoked for an additional revocation period of six months."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Standing Committee on Judiciary then reported the following amendment to the substitute for the Bill, S. B. 420, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE FOR S. B. 420

Amend Senate Bill 420 on Page 3, Line 12, by adding after the word "section," a defendant shall be denied the defense of contributory negligence in regard to the defense of this offense, or any other offense, or any subsequent litigation relating to a conviction or any other litigation involving a traffic violation.

Which was adopted.

The Standing Committee on Judiciary then reported the following amendment to the substitute, as amended, for the Bill, S. B. 420, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR S. B. 420

Amend Senate Bill 420 on Page 3, Line 10, by striking out after the word "least" the words "48 hours" and inserting in lieu thereof the words "7 days."

Further amend Page 3, Line 31, by striking out after the word "than" the words "48 consecutive hours" and inserting in lieu thereof the words "7 consecutive days."

Mr. Keener moved that said amendment be laid on the table, which motion was lost.

Yeas 10; Nays 13.

Yeas:

Messrs.:	Goodwin	McDonald	St. John	
Denton	Keener	Miller	Weeks	
Glass	Lemaster	Parsons		—10

Nays:

Messrs.:	Kirkland	Smith	Vacca	
Bailey	Little	Taylor	White	
Britnell	Mitchem	Teague (B)		—13
Hall	Proctor			
Harrison				

And said Committee amendment No. 2 was then adopted by the Senate.

The Standing Committee on Judiciary then reported the following amendment to the substitute, as amended, for the Bill, S. B. 420, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE,
AS AMENDED, FOR S. B. 420

Amend Senate Bill 420 on Page 2, Line 39, by adding a new paragraph as follows: "The second or subsequent offense of driving while under the influence of alcohol or controlled substance shall also be required to complete a DUI court referral alcohol or substance abuse program approved by the state administrative office of courts. The rehabilitative program shall consist of not less than twenty hours of rehabilitative counseling provided by a psychologist, psychiatrist, social worker, or rehabilitation counselor. The court shall be provided periodic reports of the offender's response to counseling to include but not limited to the offender's commencement in the rehabilitative program and a progress report at the termination of counseling. A hearing can be ordered by the court whereupon the offender fails to successfully complete the rehabilitative program. The cost of the rehabilitation program shall be at the offender's expense."

Which was adopted.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 89. To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for six members of the Mayor's staff not subject to any merit system, and to provide how the maximum salary of such staff assistants shall be determined by the Mayor, and for the protection of salary and other rights of merit system employees appointed hereunder, and for the inclusion of appointees in the general pension system of the municipality upon application for such membership within thirty (30) days of appointment.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF S. B. 420

The Senate proceeded to further consideration of the Bill, S. B. 420. The question was on the substitute, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 308. Relating to the city of Chickasaw; providing, after notice is given, for the removal or demolition of buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; providing for a hearing by the governing body upon request; authorizing that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and providing a method of collecting such assessments.

Also:

H. 557. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Notasulga, in Macon and Lee Counties.

Also:

H. 641. To establish minimum age requirements for admission into Mobile County Public Kindergartens.

Also:

H. 661. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 682. To authorize the creation of a public corporation in Bayou La Batre, Mobile County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into

contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations thereof; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; exempting such bonds and the property of the corporation from taxation; and providing that no debt of a state, political subdivision or any municipality thereof shall be incurred in the exercise of any of the powers granted by this act.

Also:

H. 752. Relating to Cherokee County; to provide for the construction, repair and maintenance of County Roads as a unit without regard to District or Beat lines.

Also:

H. 778. Relating to Mobile County; amending further section 1 of Act No. 80-342, H. 917, 1980 Regular Session (Acts 1980, p. 464) relating to an idle speed zone for boats on Halls Mill Creek, so as to provide that the Alabama Marine Police shall erect signs to indicate such zone.

Also:

H. 791. Relating to Fayette County; to establish a special fund in the county treasury to pay a bounty to any resident of Fayette County on certain beaver trapped or killed in Fayette County; to provide for the administration of said fund and bounty system; and to prescribe punishment for any person found guilty of falsely making claim for a bounty.

Also:

H. 792. Relating to Fayette County; to provide for the expense allowance of Board of Education members; to repeal all prior laws providing for the compensation of Board Members; and to provide for the location of board meetings.

Also:

H. 793. Relating to Fayette County; to provide that 10% of all funds accruing to Fayette County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

Also:

H. 795. Relating to Lamar County; to provide for the expense allowance of board of education members; to repeal all prior laws providing for the compensation of board members; and to provide for the location of board meetings.

Also:

H. 797. Relating to Lamar County; to alter the compensation of the members of the county commission.

Also:

H. 800. Relating to Calhoun County; amending Act No. 274, H. 990, Regular Session 1975 (Acts 1975, p. 809), which relates to the civil service board, so as to allow department heads to choose from a greater number of applicants on the list furnished by the board.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 801. Relating to Morgan County; to provide for the adoption and publication of certain motor vehicle weights and limits, which shall be deemed as adequate notice for purposes of penalizing offenders.

Also:

H. 802. Relating to Morgan County; to authorize the county to contract with any municipality within Morgan County and any municipality within Morgan County to contract with Morgan County to lease or sell to each other used equipment and/or other materials or items used or usable by counties and municipalities and to make street signs and sell the same to municipalities all without advertising for bids.

Also:

H. 807. Relating to Russell County; providing for the districts and election of the members of the county board of education.

Also:

H. 809. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service of summoning witnesses and summons and complaints in Henry County so that such service and subpoenas may be by United States mail in the county under certain conditions.

Also:

H. 815. Relating to Macon County; to authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Macon County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Also:

H. 817. Relating to Fayette County; to alter the compensation of the members of the county commission.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. B. 420

The Senate proceeded to further consideration of the Bill, S. B. 420. The question was on the substitute, as amended.

Pursuant to Rule 14 (4), Mr. Proctor moved that the Rules be suspended and further consideration of the Bill, S. B. 420 and pending substitute, as amended, be postponed temporarily, which motion was lost.

Yeas 7; Nays 16.

Yeas:

Messrs.:	Lemaster	Mitchem	St. John
Keener	Little	Proctor	Weeks

—7

Nays:

Messrs.:	Goodwin	Hilliard	Smith
Bailey	Hall	McDonald	Taylor
Britnell	Harrison	Parsons	Teague (B)
Denton	Higginbotham	Robertson	White
Glass			

—16

Pursuant to Rule 14 (4), on motion of Mr. Smith the Rules were suspended, and the Senate reconsidered the vote by which Committee amendment No. 2 to the substitute, as amended, for the Bill, S. B. 420, was adopted.

Pursuant to Rule 14 (4), on motion of Mr. Smith the Rules were suspended, and said Committee amendment No. 2 was laid on the table.

Mr. St. John was granted permission to suspend the Rules and offer the following amendment to the substitute, as amended, for the Bill, S. B. 420, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR S. B. 420

Amend substitute for Senate Bill No. 420 by replacing the term "48 hours" with the term "one year".

Which was lost.

Yeas 6; Nays 17.

Yeas:

Messrs.:	Pearson	Robertson	Weeks
Glass	Proctor	St. John	

—6

Nays:

Messrs.:	Hall	Lemaster	Parsons
Bailey	Hilliard	Little	Smith
Britnell	Holmes	Martin	Taylor
Denton	Keener	Mitchem	Vacca
Goodwin	Kirkland		

—17

Mr. Proctor was granted permission to suspend the Rules and offer the following amendment to the substitute, as amended, for the Bill, S. B. 420, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR S. B. 420

Amend substitute for Senate Bill No. 420 Page 3 Line 5, by striking out para (e) after the word and rewording said paragraph to read as follows:

“(e) Whosoever shall be convicted of violating this act shall upon the first and subsequent conviction be punished by imprisonment for at least 48 hours and not more than the penalties prescribed in subsection (c) and (d) of this section.

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 420, was then adopted by the Senate.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hilliard	Martin	St. John
Bailey	Holmes	Miller	Smith
deGraffenried	Keener	Mitchem	Taylor
Denton	Kirkland	Pearson	Vacca
Hall	Lemaster	Proctor	Weeks
Harrison	Little	Robertson	White
Higginbotham			

—24

Nays:

—0

And said Bill, S. B. 420, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	St. John
Bailey	Hilliard	Miller	Smith
Britnell	Holmes	Mitchem	Taylor
deGraffenried	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Vacca
Goodwin	Little	Proctor	Weeks
Hall	Martin	Robertson	White
Harrison			

—28

Nays:

—0

Upon the objection of three Senators, Rule 35 to allow transmittal to the House of the above Bill, S. B. 420, as amended, was not suspended.

RESOLUTIONS

Mr. Robertson offered the following Senate Resolution, to-wit:

S. R. 253. APPOINTING SENATOR EARL GOODWIN AS AN HONORARY ASSOCIATE JUSTICE OF THE ALABAMA SUPREME COURT.

Which was read and referred to the Standing Committee on Rules.

Messrs. Bailey and Miller offered the following Senate Joint Resolution, to-wit:

S. J. R. 254. COMMENDING CHIEF RAY BARNES AND THE DOTHAN FIRE DEPARTMENT.

WHEREAS, on March 15, 1982, the Dothan Fire Department, in response to a call to the MRW Warehouse, was faced with the formidable task of confining a blaze potentially disastrous to the entire community; and

WHEREAS, the MRW Warehouse structure, consisting of some 1.7 acres under one roof, was completely sealed with no fire walls or sprinkler system to help control the spread of flames, and products were so stored as to block the roof and the firefighters' only access route to containment; and

WHEREAS, the firemen further were confronted with the dangers caused by the close proximity of the warehouse to other like structures, some of which contained hazardous explosives, and they also had to combat the effects of cyanide and phosgene gases caused by polyurethane insulation; and

WHEREAS, despite the enormity of the problems they faced, Dothan's 15-year veteran chief, Ray Barnes, along with some 70 involved firemen were able to successfully control the fire and to such an extent that, except for water damage, the warehouse products were salvageable; and

WHEREAS, there were, however, some 15 injuries sustained by Dothan's courageous firefighters, most of which were caused by smoke inhalation and exhaustion; and

WHEREAS, in the consensus of experts, the Dothan Fire Department performed in an outstandingly professional manner in containing a fire of such proportions, the largest monetarily of any fire experienced in Dothan; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Chief Ray Barnes and the entire Dothan Fire Department for outstanding performance of duty and direct that a copy of this resolution be forwarded to the department in declaration of praise and in recognition of extraordinary service to the city and the citizens of Dothan, Alabama.

On motion of Mr. Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 483. To amend Act No. 81-663, Regular Session 1981, to further define prescription drugs and to specifically exempt colostomy bags and attachments from state gross sales taxes.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Hilliard	Martin	Robertson
Britnell	Holmes	McDonald	St. John
deGraffenried	Keener	Miller	Smith
Goodwin	Kirkland	Mitchem	Teague (B)
Hall	Lemaster	Parsons	Teague (J)
Higginbotham	Little	Proctor	White

—23

Nays:

—0

On motion of Mr. Smith, Rule 35 was suspended to allow transmittal to the House of the above Bill.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 115. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Examiners of Landscape Architects as provided in sections 34-17-1 through 34-17-27 of the Code of Alabama 1975, with certain modifications; to amend sections 34-17-24 and 34-17-25, so as to increase fees and penalties to allow for increased costs of administration of the board.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 706. To authorize and make provision for the incorporation in the City of Dothan of the Dothan Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Dothan; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve,

maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State

Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; To require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 216. Relating to Mobile County; to alter or rearrange the boundary lines of the Town of Creola.

Also:

H. 798. Relating to Barbour County; providing for a salary supplement for the district attorney.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 508. To supplement the salary of a supernumerary Circuit District Attorney of the Tenth Judicial Circuit of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 216. Relating to Mobile County; to alter or rearrange the boundary lines of the Town of Creola.

Also:

H. 798. Relating to Barbour County; providing for a salary supplement for the district attorney.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 706. To authorize and make provision for the incorporation in the City of Dothan of the Dothan Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Dothan; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such

Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election;

To require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 659. To add a Subsection 4 to Section 11-54-80 of the Code of Alabama of 1975, as amended, to include hydroelectric utility facilities in the

definition of projects qualifying to be financed through Industrial Development Boards.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 394. To amend section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

Mr. White requested and received permission to suspend the Rules in order to bring up the Bill:

H. 373. To amend section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

On motion of Mr. White, further consideration of the Bills, S. B. 394 and H. B. 373, were postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Report of the Committee on Conference on the disagreement of the two Houses on the Bill:

S. 261. To terminate the existence and functioning of the State Board of Barber Examiners, and to transfer its surplus fees, funds, or monies, to the State General Fund, and to transfer all property and equipment to the State Finance Department, Division of Services, and to repeal Sections 34-5-1 through 34-5-16, Code of Alabama 1975.

and has requested that the present Conference Committee be discharged and a new Conference Committee appointed.

And the Speaker of the House has appointed as Conferees on part of the House Reps. Cobb, Dial, and Whatley.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hall, the Senate acceded to the request of the House that the Conference Committee be discharged and a new Committee on Conference be appointed on the disagreement of the two Houses on the Bill, S. B. 261, the title of which is set out in the foregoing Message from the House.

Yeas 12; Nays 0.

Yeas:

Messrs.:	Holmes	Little	Smith	
Hall	Keener	Miller	Vacca	
Harrison	Lemaster	Robertson	White	
Higginbotham				—12

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs. Hall, Denton, and White.

BILLS ON THIRD READING RESUMED

The Bill:

S. 312. To make a supplemental appropriation from the Alabama Special Educational Trust Fund to the Madison County Board of Education for capital outlay purposes to be used to restore or replace the Central School which was destroyed by fire.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 312, to-wit:

COMMITTEE AMENDMENT TO SENATE BILL 312

Amend Senate Bill 312, Page 1, Line 27, by striking out the figure "\$1,500,000" after the word "of" and inserting in lieu thereof the following figure "\$1,000,000.00".

Further amend Senate Bill 312, Line 31 by adding after the word "fire." the following:

"Their appropriation shall be made upon availability of funds as determined by the Governor."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harrison	McDonald	Taylor	
Britnell	Higginbotham	Parsons	Teague (B)	
Callahan	Holmes	Robertson	Vacca	
Denton	Keener	St. John	Weeks	
Glass	Lemaster	Smith	White	
Gulledge	Little			—21

Nays: —0

On motion of Mr. St. John, further consideration of the Bill, S. B. 312, as amended, was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 373

The Senate proceeded to further consideration of the Bill, H. B. 373.

Mr. Keener offered the following amendment to the Bill, H. B. 373, to-wit:

AMENDMENT TO H. B. 373

Amend House Bill No. 373, Page 2, Lines 39 and 40 by inserting after the word "agency" the following:

"and must, by resolution, approve the action of the awarding authority before final awarding of any such contract."

and by deleting the words

"and make recommendations to the awarding authority" on line 40.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	St. John
Bailey	Hilliard	McDonald	Taylor
Britnell	Holmes	Miller	Teague (B)
Denton	Keener	Mitchem	Vacca
Goodwin	Kirkland	Parsons	Weeks
Hall	Little	Robertson	White

—23

Nays: —0

And said Bill, H. B. 373, as thus amended, was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	Smith
Bailey	Hilliard	McDonald	Taylor
Britnell	Holmes	Miller	Teague (B)
Denton	Keener	Mitchem	Teague (J)
Glass	Kirkland	Parsons	Vacca
Goodwin	Lemaster	Robertson	Weeks
Hall	Little	St. John	White
Harrison			

—28

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Seibels:

H. J. R. 359. HONORING MR. RAYMOND J. ISLEY OF BIRMINGHAM, ALABAMA.

Also:

By Rep. McKee:

H. J. R. 360. COMMENDING THE GROUP, "LIGHTHOUSE," OF ALABAMA CHRISTIAN COLLEGE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teague (B), the Rules were suspended and the Resolutions, H. J. R.'s 359 and 360, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

RESOLUTION

Mr. Callahan offered the following Senate Joint Resolution, to-wit:

S. J. R. 255. DESIGNATING APRIL 26, 1982, AS NATIONAL FOOTBALL FOUNDATION SCHOLAR-ATHLETE DAY IN ALABAMA.

WHEREAS, high school football players in our state are our nation's finest, young Alabamians of achievement both athletically and in scholarly pursuits; and

WHEREAS, the National Football Foundation is honoring our country's scholar-athletes through public recognition of their academic accomplishments as well as for outstanding performance on the football field; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in concurring sentiment with the National Football Foundation's desire to recognize scholar-athletes, we hereby designate April 26, 1982, as National Football Foundation Scholar-Athlete Day in the State of Alabama and request that such date be so observed by all citizens throughout the state.

On motion of Mr. Callahan, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. B. 312

The Senate proceeded to further consideration of the Bill, S. B. 312, as amended.

And said Bill, S. B. 312, as amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Smith
Bailey	Higginbotham	Martin	Taylor
Britnell	Holmes	McDonald	Teague (B)
Denton	Keener	Miller	Teague (J)
Glass	Kirkland	Robertson	Vacca
Goodwin	Lemaster	St. John	Weeks
Hall			

—24

Nays:

—0

On motion of Mr. McDonald, Rule 35 was suspended to allow transmittal to the House of the above Bill.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Waggoner, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 365. MOURNING THE DEATH OF MRS. MARIE REYNOLDS LEWIS OF BESSEMER, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 365, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 514. To authorize the acquisition and pledging and securing of Letters of Credit in connection with the issuance of securities by public bodies in Alabama.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Harrison	Lemaster	Smith
Britnell	Higginbotham	Little	Taylor
Cook	Hilliard	Martin	Teague (B)
Denton	Holmes	Miller	Vacca
Goodwin	Keener	Mitchem	Weeks
Gulledge	Kirkland	Parsons	White

—23

Nays:

—0

On motion of Mr. Harrison, Rule 35 was suspended to allow transmittal to the House of the above Bill.

The Bill:

H. 165. To further regulate the taxation of beer by levying an exclusive statewide local privilege or excise tax on every person licensed under the provisions of Title 28, Article 3A, Code of Alabama 1975, who sells, stores or receives for the purpose of distribution, beer; to provide for the collection and distribution of the proceeds of said tax; to authorize county and municipal license fees; to provide for penalties; to proscribe unlawful acts and offenses and prescribe punishment therefor; to provide for eligible counties a phase-out system of net revenue loss from local beer tax; and to supersede and repeal all local taxes, county and municipal, levied on or measured by the sale of beer, except general sales taxes.

was taken up.

On motion of Mr. Goodwin, further consideration of the Bill, H. B. 165, was postponed temporarily.

RESOLUTION

Mr. Miller offered the following Senate Resolution, to-wit:

S. R. 256. EXTENDING BEST WISHES TO CHRISTY WILLIAMS, ANDALUSIA, ALABAMA.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 165

The Senate proceeded to further consideration of the Bill, H. B. 165.

Mr. Goodwin offered the following amendment to the Bill, H. B. 165, to-wit:

AMENDMENT TO H. B. 165

Amend H. 165 Section 1 (c)(2)(xxvii) on page 17 by amending line 23 to read as follows:

"the general fund of the county., from which \$7,000 shall be credited to a Legislative Delegation Fund to be controlled by the Legislative Delegation of Sumter County."

Which was adopted.

Yeas 13; Nays 0.

Yeas:

Messrs.:	Hilliard	Little	Teague (B)	
Glass	Holmes	Mitchem	Weeks	
Goodwin	Keener	Smith	White	
Gulledge	Kirkland			—13

Nays:

—0

Mr. Hilliard offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. 165, AS AMENDED

Amend H. 165 by deleting Paragraph C of Section 1(c)(2)(xvi) at lines 18-23 on page 12, and substitute in lieu thereof the following

"C". Fund C shall be distributed as follows:

(a) Fifty percent (50%), or two million dollars (\$2,000,000.00) annually, which ever is the greater, shall be paid to the Birmingham-Jefferson County Transit Authority or its successor.

(b) The balance shall be divided between the County and the incorporated municipalities within the county upon a population basis with the municipal share determined by the respective populations of said municipalities, and the county share by the population of the unincorporated areas thereof, according to the last Federal Census at the time the distribution is made.

Which was adopted.

Yeas 6; Nays 0.

Yeas: Messrs.: Hall, Hilliard, Parsons, Pearson, Vacca and White. —6

Nays: —0

Mr. Keener moved that further consideration of the Bill, H. B. 165, as amended, be postponed until the Twenty-Ninth Legislative Day.

On motion of Mr. Cook, said motion to postpone was laid on the table.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Goodwin	McDonald	Smith
Bailey	Harrison	Parsons	Taylor
Callahan	Higginbotham	Proctor	Teague (B)
Cook	Hilliard	Robertson	Vacca
Denton	Holmes	St. John	Weeks

—19

Nays:

Messrs.:	Gulledge	Lemaster	Miller
Britnell	Hall	Little	Mitchem
deGraffenried	Keener	Martin	White

—11

Mr. Keener then moved that further consideration of the Bill, H. B. 165, as amended, be postponed as Unfinished Business, which motion was lost.

Mr. Smith offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

On page 14, after line 4, delete the following language:

Provided, however, any and all revenue generated outside of an incorporated municipality shall be deposited into the county general fund.

Which was adopted.

Yeas 10; Nays 1.

Yeas:

Messrs.:	Gulledge	McDonald	Smith	
Denton	Hilliard	Proctor	Teague (B)	
Goodwin	Kirkland			—10

Nay: Mr. Lemaster.	—1
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Mr. McDonald offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

In Section 1(c)(2)(xx), which relates to Madison County, in subsection (B) insert below the word "Triana" the following: Madison

Which was adopted

Yeas 16; Nays 0.

Yeas:

Messrs.:	Higginbotham	Little	Smith	
Cook	Hilliard	McDonald	Teague (B)	
Denton	Kirkland	Mitchem	Vacca	
Goodwin	Lemaster	Robertson	Weeks	
Gulledge				—16

Nays:	—0
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RESOLUTIONS

Messrs. Cook, Bailey, Britnell, Callahan, deGraffenried, Denton, Figures, Glass, Goodwin, Gulledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Vacca, Weeks and White offered the following Senate Joint Resolution, to-wit:

S. J. R. 257. MOURNING THE DEATH OF MRS. MARIE REYNOLDS LEWIS OF BESSEMER, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mrs. Marie Reynolds Lewis of Bessemer, Alabama on April 12, 1982, at the age of 64 years; and

WHEREAS, Mrs. Lewis' death came following a brave and gallant fight against the ravages of bone marrow cancer, a battle she faced with courage and great fortitude despite such formidable odds; and

WHEREAS, as one of her city's most prominent civic leaders, Mrs. Lewis was a charter member of the Bessemer Beautification Club, a past president of the Southwestern Council of Garden Clubs, a member of the Mentor Club, Artes Garden Club, the Ludus Artes Study Club and of the First United Methodist Church of Bessemer; and

WHEREAS, Mrs. Lewis was the beloved wife of Mr. Malcolm E. Lewis, and also is survived by their son, Duane Lewis, their daughter, Mrs. Shelia Morgan, and by her sister, Mrs. Annie Mae Carlton; now therefore,

BE IT RESOLVED BY THE LEGISLATIVE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mrs. Marie Reynolds Lewis of Bessemer, Alabama and extend our most heartfelt sympathy to her husband, daughter and sister and to her son, our friend and colleague, Duane Lewis, to whom copies of this resolution shall be sent in expression of our sincerely shared sorrow in their great and grievous loss.

On motion of Mr. Cook, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Robertson offered the following Senate Joint Resolution, to-wit:

S. J. R. 258. COMMENDING THE LIVINGSTON UNIVERSITY LADY TIGERS BASKETBALL TEAM FOR WINNING THEIR SECOND CONSECUTIVE AIAAW SOUTHERN DIVISION CHAMPIONSHIP.

WHEREAS, the Legislative of Alabama most highly commends the Livingston University of Lady Tigers Basketball Team which has recently won its second consecutive Alabama Association of Intercollegiate Athletics for Women Southern Division Championship with an outstanding 6-win and 0-loss record; and

WHEREAS, the team won the AIAAW Division II State Championship, the Division II, Region III Championship and participated in the Division II Quarter-final Tournament; and

WHEREAS, under the guidance and leadership of Coach Jim Izard, the team has worked diligently, long and hard to achieve a 1981-82 outstanding record of 30 wins and only 6 losses; and

WHEREAS, we believe that the actions of these fine young women on the basketball court are reflective of their school, faculty, parents and the good citizens of their community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate the Livingston University Lady Tigers Basketball Team for their truly remarkable record and for winning their second consecutive Alabama Association of Intercollegiate Athletics for Women Southern Division Championship.

BE IT FUTHER RESOLVED, That copies of this resolution be sent to Coach Izard and to each member of the team as evidence of high esteem and warm regard.

On motion of Mr. Robertson, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 259. COMMENDING THE AUBURN UNIVERSITY WOMEN'S SWIM TEAM ON ITS RECENT PERFORMANCE AT THE N.C.A.A. CHAMPIONSHIPS.

WHEREAS, it is with a sense of deep pride that the Legislature of Alabama notes the outstanding performance of the Auburn University Women's Swim Team at the National Collegiate Athletic Association Championships; and

WHEREAS, the first ever N. C. A. A. Women's Swimming Championships was held on March 18 through 20, 1982, in Gainesville, Florida; and

WHEREAS, the Auburn University Women's Swim Team continued their year by year rise in the national standings by finishing fourth this year; they finished 21st in 1979, 12 in 1980, and 7th in 1981; and

WHEREAS, the team's brilliant season was due in great measure to the leadership provided by Coach Richard Quick, who described the team's effort as "the best team meet that I have ever had during my years of coaching;" now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate the Auburn University Women's Swim Team on its recent performance at the N. C. A. A. Championships.

BE IT RESOLVED FURTHER, That a copy of this resolution be provided for appropriate school display with a copy for Joanna Davenport, Women's Athletic Director, for Pat Dye, Auburn Athletic Director, and for Coach Quick on behalf of all members of the team.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 504. Relating to Winston County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 165.

The Senate proceeded to further consideration of the Bill, H. B. 165, as amended.

Mr. Gullledge offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend H. 165 as follows:

On page 4, line 27, delete the word "county" and insert in lieu thereof the following:

County Board of Education with the funds to be used for capital outlay, maintenance of existing buildings and instructional materials.

Which was adopted.

Yeas 12; Nays 0.

Yeas:

Messrs.:	Higginbotham	Lemaster	Robertson	
Cook	Hilliard	Little	Weeks	
Goodwin	Holmes	Martin	White	
Gulledge				—12

Nays: —0

Mr. Little offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

On page 12-A, in subsection (xvii), delete the period and insert in lieu thereof:

; provided, however, the tax provided for by this Act shall not be levied within the corporate limits of the City of Auburn.

On page 27, Section 9, in subsection (a), delete the period and insert in lieu thereof:

; provided further, no provision of this Act shall apply within the corporate limits of the City of Auburn in Lee County.

RESOLUTION

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 260. COMMENDING AUBURN UNIVERSITY WOMEN'S BASKETBALL TEAM ON ITS EXCELLENT SEASON.

WHEREAS, it is with a sense of deep pride that the Legislature of Alabama notes the outstanding performance of the Auburn University Women's Basketball Team; and

WHEREAS, the Auburn University Women's Basketball Team has completed one of their most outstanding basketball seasons in the school's history; and

WHEREAS, the Tigers compiled an exemplary record of 24 wins and five losses while competing in the powerful Southeastern Conference; and

WHEREAS, Coach Joe Ciampi's club deservedly earned in invitation to the first N. C. A. A. Division 1 women's basketball tournament and represented their conference, state and school in an excellent manner; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate the Auburn University Women's Basketball Team on their excellent season.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for appropriate school display with a copy for Joanna Davenport, Women's Athletic Director, for Pat Dye, Auburn Athletic Director, and for Coach Ciampi on behalf of all members of the team.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 84. To provide in addition to benefits now received, a retirement cost-of-living increase to all persons retired under the Teachers' Retirement System and Employees' Retirement System of Alabama, prior to October 1, 1981, provided that no person whose retirement under the Employees' Retirement System is based on 51% or more service as an employee of an employer participating under Section 36-27-6, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this Act; provided further that employees in this class whose employer was a local board of education or a state supported institution of higher education shall be entitled to said increase and the cost associated therewith shall be financed from existing funds of the Employees' Retirement System and the Teachers' Retirement System under certain conditions; to provide that any person whose eligibility to receive medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase, to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama; and to provide for the repeal of conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 84, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 84

A BILL
TO BE ENTITLED
AN ACT

To provide in addition to benefits now received, a retirement cost-of-living increase to all persons retired under the Teachers' Retirement System and Employees' Retirement System of Alabama, prior to October 1, 1981, provided that no person whose retirement under the Employees' Retirement System is based on 51% or more service as an employee of an employer participating under Section 36-27-6, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this Act; provided further that employees in this class whose employer was a local board of education or a state supported institution of higher education shall be entitled to said increase and the cost associated therewith shall be financed from existing funds of the Employees' Retirement System and the Teachers' Retirement System under certain conditions; to provide that any person whose eligibility to receive medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase, to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama; and to provide for the repeal of conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby provided, commencing October 1, 1982, to any person retired prior to October 1, 1981, under the Teachers' Retirement System or Employees' Retirement System of Alabama and who is receiving a retirement allowance therefrom, a cost-of-living increase of \$1.20 per month for each year of creditable service attained by said member; provided any person retired under the provisions of Section 36-27-7, or 36-27-7.1, Code of Alabama 1975 shall receive an increase of \$.60 per month for each year of creditable service attained by said member. In addition to the foregoing amount an additional \$.80 per month increase may be granted upon the occurrence of certain conditions set forth in Section 5 of this Act; provided any person retired under the provisions of Section 36-27-7, or 36-27-7.1, Code of Alabama 1975 may receive an additional \$.40 per month increase upon the occurrence of certain conditions pursuant to Section 5 of this Act. Effective October 1, 1983, the full increase of \$2 per month shall become effective and shall be funded pursuant to Section 5 of this Act; provided any person retired pursuant to Section 36-27-7, or 36-27-7.1, Code of Alabama 1975 shall receive an increase of \$1 per month, and said increase shall be funded pursuant to Section 5 of this Act.

Section 2. Any person retired under the Judicial Retirement Fund of Alabama as provided for in Title 12, Chapter 18, Code of Alabama 1975, shall not be deemed a retiree of the Teachers' or Employees' Retirement System of Alabama for purposes of this Act and shall not be entitled to receive the cost-of-living increase provided.

Section 3. (a) There is hereby allocated and expended from the assets or appropriations of the Teachers' Retirement System of Alabama \$4,088,703 or such amounts as are necessary to fund the provisions of Section 1 of this Act exclusive of such amounts funded pursuant to Section 5 of this Act. In addition to the foregoing amount, it is the intent of the legislature that the sum of \$3,290,460, said amount being appropriated in excess of the required amount to fund the Teachers' Retirement System of Alabama for the 1981-82 fiscal year, be used to fund the provisions of this Act. In the event said sum shall revert to the Alabama Special Educational Trust Fund a like sum is hereby appropriated to the Teachers' Retirement System of Alabama for the fiscal year beginning October 1, 1982, from said Trust Fund. It is further provided that any funds available from the assets or appropriations to the Teachers' Retirement System of Alabama in accordance with Section 5 of this Act are hereby allocated and expended as may be necessary to carry out the provisions of this Act.

(b) There is hereby allocated and expended from the assets or appropriations of the Teachers' Retirement System of Alabama to the Employees' Retirement System of Alabama \$59,700 for the fiscal year beginning October 1, 1982, or such amounts as are necessary to carry out the provisions of this Act, exclusive of such amounts funded pursuant to Section 5 of this Act, as they relate to retired employees of local boards of education and state institutions of higher education who are retired under the Employees' Retirement System. In addition, it is further provided that any funds available from the assets or the appropriation to the Teachers' Retirement System of Alabama in accordance with Section 5 of this Act are hereby allocated and expended to the Employees' Retirement System of Alabama as may be necessary to carry out the provisions of this Act.

(c) 1. There is hereby allocated and expended from the Employees' Retirement System of Alabama \$1,754,463 or such amounts as are necessary to fund the provisions of Section 1 of this Act, for the fiscal year beginning October 1, 1982, exclusive of such amounts funded pursuant to Section 5 of

this Act. In addition, it is further provided that any funds available from the assets of or the appropriations to the Employees' Retirement System of Alabama in accordance with Section 5 of this Act are hereby allocated and expended as may be necessary to carry out the provisions of this Act.

(c) 2. The board of control of the Employees' Retirement System of Alabama shall determine annually the amount required to pay the cost of the increased allowances under Section 1 of this Act and shall notify the chief fiscal officer of each employer the per centum rates of earnable compensation of the members required to be paid to the retirement system. Each employer of members of the Employees' Retirement System of Alabama shall pay on account of the increases provided in Section 1 of this Act in the same manner and from the same source of funds as is provided in Section 36-27-24 of the Code of Alabama 1975, it being the intent of the legislature that the cost of providing the increase in Section 1 of this Act shall be distributed from all funds in proportion to the salaries paid therefrom for active members.

(d) Subsequent expenditures from the Teachers' and Employees' Retirement Systems shall be reduced to only the amount necessary to fund the benefit increases herein provided in Section 1 of this Act.

(e) No person whose retirement under the Teachers' or Employees' Retirement System is based on 51% or more service as an employee of an employer participating under Section 36-27-6 of the Code of Alabama 1975, shall be entitled to the benefits provided in Section 1 of this Act, unless such employer elects to come under the provisions of said section. Any employer making such election, except local boards of education and state institutions or higher education for which funding is provided above herein, must bear the cost of cost-of-living increase paid to its former employees pursuant to this section. Any employer participating under Section 36-27-6 may elect to come under the provisions of this section at the beginning of any future fiscal year and said employer shall not be required to pay said cost-of-living increase retroactively.

Section 4. Any person who receives benefits under the Medicaid program and whose eligibility for such benefits would be impaired by the cost-of-living increase provided in Section 1 of this Act shall not be entitled to receive said increase. Any person who shall subsequently apply for benefits under the Medicaid program and such person's eligibility to receive benefits is impaired by the cost-of-living increase provided in Section 1 of this Act, shall not be entitled to receive said increase subsequent to the date the member files application for benefits under the Medicaid program.

Section 5. It is the intent to the Legislature that the additional cost-of-living increase granted to certain retired persons under the provisions of this Act be financed, if possible, from existing funds of the Employees' Retirement System and the Teachers' Retirement System under the following provisions and conditions:

A. (1) If any actuary firms employed by the board of control of the Employees' Retirement System and/or the Teachers' Retirement System finds that the authorized cost-of-living increase can be paid for the fiscal year 1982-83 from existing funds of the systems without having serious adverse impact actuarially on the retirement system, the boards of control of the retirement systems are hereby authorized and instructed to pay such cost-of-living increase beginning October 1, 1982. It is the intent of this legislation as pertains to future like funding, that such funding shall be made in accordance with Section 16-25-28, Code of Alabama 1975, as pertains to actuarial soundness.

(2) Further provided, if the actuarial report is not received by October 1, 1982, but meets the above condition when it is received during fiscal year 1982-83, then the cost-of-living increase shall be paid retroactively to October 1, 1982.

B. If the conditions in "A" above is not met, the full cost-of-living increase shall be paid beginning October 1, 1983, and the cost of this benefit shall be included in the amount certified by the board of control to be contributed by the State under the provisions of Sections 16-25-21 or 36-27-24, Code of Alabama 1975, or any other applicable provision of law.

The provisions of this section shall govern and override any seeming or actual conflicts with other provisions of this Act.

Section 6. The provisions of this Act are supplemental. It shall be construed in para materia with other laws regulating and providing for the payment of retirement benefits to retired members of the Teachers' and Employees' Retirement Systems of Alabama; however, those laws or parts of laws which are in direct conflict or inconsistent herewith are hereby repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Yeas 13; Nays 0.

Yeas:

Messrs.:	deGraffenreid	Harrison	Kirkland
Bailey	Figures	Higginbotham	Little
Britnell	Goodwin	Holmes	Parsons
Cook	Gulledge		

—13

Nays: —0

FURTHER CONSIDERATION OF H. B. 165

The Senate proceeded to further consideration of the Bill, H. B. 165, as amended. The question was on the amendment offered by Mr. Little.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Reed:

H. 320. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

Also:

By Rep. Clark (W) (with notice and proof):

H. 630. Relating to Mobile County; providing for an additional expense allowance for members of the county governing body.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 630, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Owens:

H. 699. To amend Section 41-9-73 of the Code of Alabama 1975, as amended, relating to annual appropriations for the state board of adjustment so as to provide further for such appropriations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 320 and 699. To the Committee on Finance and Taxation.

H. B. 630. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment.

By Rep. Waggoner:

H. 305. To amend Section 41-16-51, Code of Alabama 1975, which exempts certain contracts from the requirements of the competitive bid law, so as to exempt contracts up for renewal entered into by municipalities for sanitation services.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 305. To the Committee on Governmental Affairs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Lewis, Waggoner, Bennett and Amari:

H. 745. To amend Section 41-9-96, Code of Alabama 1975, which provides for the permit fees and taxation of boxing and wrestling matches, so as to alter the gross receipts tax on such matches.

Also:

By Reps. Ward and Whatley (with notice and proof):

H. 799. Relating to local sales and use taxes in Lee County, Alabama, and amending Act No. 81-553 enacted at the 1981 Regular Session of the Legislature of Alabama so as to provide further for the levy and collection of the special county privilege, license and excise taxes authorized by said Act No. 81-553 to be levied and collected by Lee County, Alabama, for the administration of said Act No. 81-553, and for the use of the proceeds from said taxes; authorizing the governing body of Lee County, Alabama, to levy and collect special county privilege, license and excise taxes generally paralleling the state sales and use taxes levied by Act No. 81-665 enacted at the 1981 Regular Session of the Legislature of Alabama on sales of automobiles and other vehicles other than at wholesale by persons other than licensed dealers; providing for the collection of such taxes and the use of the proceeds therefrom; and repealing Act No. 81-918 enacted by the 1981 First Special Session of the Legislature of Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 799, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hines (with notice and proof):

H. 811. Relating to Escambia County; providing further for the expense allowance of the presiding circuit judge of the twenty-first judicial circuit.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 811, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hines (with notice and proof):

H. 812. Relating to Escambia County; amending Act No. 251, H. 979, 1976 Regular Session (Acts 1976, p. 287), so as to provide further for the compensation of the court reporter of the twenty-first judicial circuit.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 812, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Goodwin, Coburn and Cobb (with notice and proof):

H. 820. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 820, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Goodwin, Coburn and Cobb:

H. 821. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

Also:

By Reps. Stewart and Zoghby (with notice and proof):

H. 822. Relating to Class 2 municipalities; providing for a retirement pension for certain elected public officials in such municipalities, the eligibility requirements for such pension and the amount, method; providing for payments from the general fund of such municipalities; and specifically repealing Act No. 432, S. 531 of the 1971 Regular Session (Acts 1971, p. 1159) and Act No. 682, H. 937, Regular Session 1967 (Acts 1967, p. 1508), which acts provide for a retirement pension for certain elected public officials of certain cities classified on a population basis.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 822, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 745. To the Committee on Finance and Taxation.

H. B.'s 799, 811, 812, 820, 821, and 822. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 821, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate.:

S. J. R. 245. COMMENDING CRIMSON TIDE BASKETBALL STAR, EDDIE PHILLIPS, OF BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 165

The Senate proceeded to further consideration of the Bill, H. B. 165, as amended. The question was on the amendment offered by Mr. Little.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rules Committee:

H. J. R. 366. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when we adjourn today, Thursday, April 15, 1982, we adjourn to meet again on Tuesday, April 20; when we adjourn on Tuesday, April 20, we adjourn to meet again on Monday, April 26; and when we adjourn on Monday, April 26, 1982, we adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. St. John, the Rules were suspended and the Resolution, H. J. R. 366, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Manley, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghyby.

H. J. R. 350. COMMENDING SPEAKER JOE C. McCORQUODALE, JR., FOR HIS EIGHT YEARS OF CHRISTIAN LEGISLATIVE LEADERSHIP.

Also:

By Reps. Manley and McCorquodale:

H. J. R. 351. SALUTING BERGERON INDUSTRIES, INC. FOR SELECTING ALABAMA FOR ITS 1982 INDUSTRIAL EXPANSION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. St. John, the Rules were suspended and the Resolutions, H. J. R.'s 351 and 351, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Rains:

H. J. R. 354. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

WHEREAS, State telephone operators are on duty from 7:00 a.m. until 11:30 p.m. on weekdays, and from 9:00 a.m. until 5:00 p.m. on weekends and holidays; during these hours the State's WATS line can be made available by an operator to members of the Legislature anywhere in the State; and

WHEREAS, when the Legislature is in session on a holiday, however, as on Jefferson's Birthday, 1982, the State's WATS line is unavailable for business use by members of the Legislature during early morning and late evening hours, except from phones located in the Capitol itself or in other state buildings; and

WHEREAS, the pressing affairs of government are such that it is oftentimes necessary for legislators to place business calls outside the nine-till-five holiday hours, thus it is necessary that normal service be available when the House and Senate are in session; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request the Service Division of the State Finance Department to provide that State telephone operators maintain a normal weekday schedule on all days that the Legislature is in session.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to advise State Finance Director Dr. Rex Rainer, by copy of this resolution, of this request of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. St. John, the Rules were suspended and the Resolution, H. J. R. 354, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Report of Committee on Conference on the bill,

S. 132. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949; p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

and has discharged the House conferees and the Speaker of the House has appointed as a new committee on the part of the House Reps. Dial, Pegues and Whatley.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Senate acceded to the request of the House that the Conference Committee be discharged and a new Committee on Conference be appointed on the disagreement of the two Houses on the Bill, S. B. 132, the title of which is set out in the foregoing Message from the House.

Yeas 8; Nays 0.

Yeas:

Messrs.:	Keener	Martin	Weeks	
Denton	Kirkland	Smith	White	
Gulledge				—8

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Mitchem, Smith, and McDonald.

FURTHER CONSIDERATION OF H. B. 165

The Senate proceeded to further consideration of the Bill, H. B. 165, as amended. The question was on the amendment offered by Mr. Little.

On motion of Mr. Callahan, further consideration of the Bill, H. B. 165, as amended, was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

H. 751. To amend Section Five of Act No. 651, H. 377, Regular Session 1975 (Acts 1975, p. 1408) which provides retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Callahan	Keener	Mitchem	Taylor	
Figures	Kirkland	Parsons	Vacca	
Glass	Lemaster	Pearson	Weeks	
Gulledge	Little	Proctor	White	
Hall	Martin			—25

Nays:

—0

The Bill:

H. 777. To repeal Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, P. 990-991); and Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, P. 1630-1631) providing for minimum compensation for deputies in Mobile County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 777, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 777

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, p. 990-991); and Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, p. 1630-1631) providing for minimum compensation for Deputy Sheriffs in Mobile County; to fix such compensation at the amounts hereinafter included in this Act and to provide that subsequent salary increases for such Deputy Sheriffs be equal to any such increases given other Mobile County employees.

Be It Enacted by the Legislature:

Section 1. Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, p. 990-991) an Act "To provide for minimum compensation for all deputy sheriffs in certain counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent Federal Census in the State of Alabama" is hereby repealed.

Section 2. Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, p. 1630-1631) an Act "To amend Section 1 of Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, p. 990) an Act providing for the minimum compensation of all deputy sheriffs in counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent Federal Census in the State of Alabama" is hereby expressly repealed.

Section 3.

1. Repeal of Act 710, H. 1102, 1976 Regular Session (Acts 1976 P. 990-991) Act 80-797, S. 610, 1980 Regular Session (Acts 1980, P. 1630-1631) will not result in any financial loss for any deputy sheriff of any rank and/or grade.

2. This Act shall include actual range and step for every position.

3. Deputies will receive 50% of the state trooper pay adjustment as of 10/1/81 for each pay period retroactive to October 1, 1981, through pay period ending April 23, 1982.

4. New pay range to be effective with the pay period beginning April 24, 1982.

5. In converting from the State Trooper Pay Plan to the Mobile County Personnel Board Pay Plan, any deputy sheriff of any rank or grade whose adjusted pay falls between the steps of the Mobile County Personnel Board Pay Plan shall advance to the next highest step of that Pay Plan.

Section 4. On the effective date of this Act, the minimum compensation for all Deputy Sheriffs in Mobile County shall not be less than that of the following Mobile County Personnel Board Pay Plan:

CLASSIFICATION RANGE		STEP						
		A	B	C	D	E	F	G
Deputy Sheriff I	28	1120	1176	1235	1297	1361	1429	1501
Deputy Sheriff II	30	1235	1297	1361	1429	1501	1576	1655
Sheriff's Sergeant	33	1429	1501	1576	1655	1738	1824	1916
Sheriff's Lieutenant	35	1576	1655	1738	1824	1916	2011	2112
Sheriff's Captain	37	1738	1824	1916	2011	2112	2218	2328

In no case will this Act reduce the compensation for any Sheriff's Deputy I, Deputy II, Sergeant, Lieutenant, Captain, or Major. Merit increases for any grade will be approved in accordance with Mobile County Personnel Board procedure. All Deputy Sheriff I's, Deputy Sheriff II's, Sergeants, Lieutenants, Captains, Majors or any other grade which may become part of the Sheriff's Department shall be paid out of county funds. The compensation provided for above shall correspond to the Mobile County Personnel Board Pay Plan in effect as of April 24, 1982.

Section 5. In addition to the compensation referred to herein, said Deputy Sheriffs of Mobile County shall be entitled to and receive such subsistencies and allowances as those which were in effect as of October 1, 1981. Said subsistences and allowances shall be paid out of county funds.

Section 6. From the effective date of this Act all Deputy Sheriffs of Mobile County shall receive any salary increase, cost of living adjustment, or any other increase in compensation granted to any class of county employees. Such increase in compensation for the Deputy Sheriffs shall be equal in amount and shall be paid at the same time as those granted to any class of employees of Mobile County.

Section 7. This Act shall be effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Mr. Callahan offered the following amendment to the substitute for the Bill, H. B. 777, to-wit:

SENATE AMENDMENT TO SUBSTITUTE FOR H. B. 777

Amend Substitute for House Bill 777, Page 3 by deleting Section 8 in its entirety.

Which was adopted.

And said substitute, as amended, for the Bill, H. B. 777, was then adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	St. John	
Bailey	Hilliard	Miller	Smith	
Callahan	Holmes	Mitchem	Taylor	
Cook	Keener	Parsons	Vacca	
Figures	Kirkland	Pearson	Weeks	
Glass	Little	Proctor	White	
Gulledge	Martin			—25

Nays: —0

And said Bill, H. B. 777, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Callahan	Keener	Mitchem	Taylor	
Cook	Kirkland	Parsons	Vacca	
Figures	Lemaster	Pearson	Weeks	
Glass	Little	Proctor	White	
Gulledge	Martin			—25

Nays: —0

The Bill:

S. 505. Relating to the Mobile County civil service system; to amend Section XV of Act 470, H. 952, 1939 Regular Session (Acts of 1939, p. 298), as amended, so as to remove the reference to provisional appointments and to repeal Section XVIII of said act which provided for provisional appointments.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Hilliard	Martin	Proctor	
Bailey	Holmes	McDonald	Smith	
Cook	Keener	Miller	Taylor	
Figures	Kirkland	Mitchem	Vacca	
Glass	Lemaster	Parsons	Weeks	
Hall	Little	Pearson	White	
				—23

Nays: Messrs.: Callahan and Gulledge. —2

On motion of Mr. Figures, Rule 35 was suspended to allow transmittal to the House of the above Bill.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I transmit herewith a Message from the Governor returning Senate Bill, No. 307 without the Governor's signature and approval.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.
Legal Advisor.

Done this 15th day of April, 1982.

To The Alabama Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill No. 307, without my signature and approval and with the following suggested Executive Amendment:

On page 8 at line 12, delete the word "provision" and substitute instead the word "providing".

On page 8 at line 16, insert the word "retail" between the words "considered" and "sales".

On page 8 at line 17, delete the following language after the word "tax" "unless such materials have been prescribed by a licensed ophthalmologist or optometrist". and following the sentence period insert the following language: "The term supplier shall include but not limited to optical laboratories, ophthalmic material wholesalers, or anyone selling ophthalmic materials to ophthalmologists and optometrists".

On page 8, Section 3, line 27, amend effective date to read as follows: This Act shall become effective immediately upon the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Respectfully,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Callahan, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 307. To amend Section 40-23-1, Alabama Code, 1975, as amended, so as to provide that the dispensing or transferring of Ophthalmic materials to a patient by licensed ophthalmologists or optometrists, as part of their professional service, shall not be considered a sale subject to the state sales tax;

to place the responsibility for collecting the sales tax on the transfer of ophthalmic materials on the supplier of such materials to licensed ophthalmologists and optometrists; and to provide that in limited circumstances, the transfer of ophthalmic materials by opticians shall not be considered a sale subject to the state sales tax.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 18; Nays 0.

Yeas:

Messrs.:	Goodwin	Kirkland	Taylor	
Bailey	Hall	Lemaster	Vacca	
Britnell	Higginbotham	Little	Weeks	
Callahan	Holmes	Mitchem	White	
Cook	Keener	Smith		—18

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 307, as thus amended by the Executive amendment, was again read at length and passed, by a vote of

Yeas 18; Nays 0.

Yeas:

Messrs.:	Gulledge	Kirkland	Taylor	
Britnell	Harrison	Lemaster	Vacca	
Callahan	Higginbotham	Little	Weeks	
Cook	Holmes	Mitchem	White	
Goodwin	Keener	Smith		—18

Nays: —0

which was a majority of the whole number elected to the Senate.

FURTHER CONSIDERATION OF H. B. 165

The Senate proceeded to further consideration of the Bill, H. B. 165, as amended. The question was on the amendment offered by Mr. Little.

On motion of Mr. Cook, said amendment was laid on the table.

Yeas 18; Nays 9.

Yeas:

Messrs.:	Goodwin	McDonald	Taylor	
Bailey	Harrison	Parsons	Vacca	
Callahan	Hilliard	Pearson	Weeks	
Cook	Holmes	St. John	White	
Denton	Kirkland	Smith		—18

Nays:

Messrs.:	Keener	Mitchem	Teague (B)	
Hall	Little	Robertson	Teague (J)	
Higginbotham	Miller			—9

Mr. Little then offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend House Bill 165 in Section 1, on page 2, Lines 10 and 11, by striking after the word "beer," the phrase "and shall be an amount equal to one and one-half cents (1½¢) for each four (4) fluid ounces or" and substitute in lieu thereof the following:

"and shall be an amount equal to five cents (\$.05) for each four (4) fluid ounces or"

On motion of Mr. Cook, said amendment was laid on the table.

Mr. Keener offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend House Bill 165 in Section 1, on Page 2, Lines 10 and 11, by striking after the word "beer," the phrase "and shall be an amount equal to one and one-half cents (1½¢) for each four (4) fluid ounces or" and substitute in lieu thereof the following:

"and shall be an amount equal to two cents (\$.02) for each four (4) fluid ounces or"

On motion of Mr. Cook, said amendment was laid on the table.

Mr. Teague (J) offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend H. B. 165, as amended, as follows:

Amend Section 7, Page 23, Line 33, by inserting immediately after the words "Section 6 (b)" and immediately preceding the words "of this Act", the following language:

"and Section 8".

Amend Section 7, Page 25, Line 9, by deleting the language contained on Line 9 and inserting in lieu thereof the following language:

"excess of base year net revenue over projected revenue.

(Base Year net revenue—projected revenue = net revenue loss)."

Amend Section 7, Page 26, Line 12, by inserting immediately following the words "paid into" and preceding the words "the general fund of this state", the following language:

"the supplement beer tax escrow fund, if any, as authorized by Section 8 of this Act, or if there is no supplement beer tax escrow fund, then paid into".

Insert a new Section 8 immediately after Section 7 where it ends on Page 27, line 10, and renumber present Sections 8 through 11 to be Sections 9 through 12, respectively, which new Section 8 shall read as follows:

"Section 8. Supplemental Revenue Loss Phase-Out System.—

(a) When used in this Section of this Act, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise:

(1) **Supplement Beer Tax Escrow Fund.** A fund established with the alcoholic beverage control board as escrow agent funded by payments made by wholesale beer licensees collecting the tax imposed by this Act, such payments being made from the discount provided by Section 1 (b) of this Act. From the fund, the board shall pay to each supplement eligible county the amount or amounts provided by this Section for the purpose of phasing out the supplement net revenue loss, if any, which would be experienced by supplement eligible counties.

(2) **Supplement Eligible County.** Any Eligible County which would, as a result of the uniform tax levied on beer by this Act, continue to experience a decrease in its net local tax revenue collected on beer beyond the end of the subsidy provided in Section 7 of this Act. In order for any county to become eligible for the supplement, it must have been an Eligible County under Section 7 of this Act and must timely file a claim for its supplement net revenue loss, which claim must be certified by the board as provided in subsection (e) of this Section. Provided, however, that no county will be a Supplement Eligible County if any adjoining dry county or municipality shall have become wet between the effective date of this Act and October 1, 1985.

(3) **Supplement Base Year.** The year commencing October 1, 1985, and ending September 30, 1986.

(4) **Supplement Base Year Cases.** The number of cases of beer sold within a Eligible County during the supplement base year upon which the uniform tax levied on beer by this Act were paid in that county, which number shall be determined by the board.

(5) **Supplement Base Year Net Revenue.** The actual revenue realized within a county from uniform local beer taxes collected on the sale of the supplement base year cases pursuant to this Act. The amount of revenue derived from supplement base year cases multiplied by the rate of tax per case levied by this Act, after deducting the discount of two and one-half percent (2½%) prescribed in Section 1 (b) hereof. (Supplement base year cases x rate of tax per case - 2½% discount = supplement net revenue).

(6) **SUPPLEMENTAL NET REVENUE LOSS.** The excess of base year net revenue over supplement base year net revenue. (Base year net revenue - supplement base year net revenue = supplement net revenue loss).

(7) **Supplement, or supplemental subsidy.** The sum of money paid from the supplement beer tax escrow fund by the board to each supplement eligible county in installments as hereinafter provided totaling 200% of its supplement net revenue loss.

(b) There is hereby established a Supplement Beer Tax Escrow Fund into which shall be paid the total amount of 200% of the annual supplement net revenue loss as herein defined and calculated, which loss would be experienced by those supplement eligible counties. This Supplement Beer Tax Escrow Fund shall be funded by payments from funds provided by the discount permitted by Section 1 (b) of this Act made by wholesale beer licensees who collect the uniform tax levied by this Act.

(c) All wholesale beer licensees collecting the tax imposed by this Act shall pay into the Supplement Beer Tax Escrow Fund. Such payments are to total a sum equal to 200% of the supplement net revenue loss of supplement eligible counties, as determined by the board, and are to be made from the 2½% discount prescribed for wholesale licensees in Section 1 (b) hereof, as follows: wholesale beer licensees collecting the tax imposed by this Act shall pay monthly to the board for deposit in and credit to the supplement beer tax escrow fund the sum of two and one-half (2½¢) per case for each case of beer received during the preceding month upon which beer tax is paid in this state. Such monthly payment shall commence on October 31, 1986, and shall be paid not later than the last day of each succeeding month and shall continue monthly until the total of the payments made into the fund shall be equal to or exceed the total supplements to be paid to all supplement eligible counties. The board shall cease collecting payments and shall so notify promptly each participating beer wholesaler when the total of the payments made to the board shall be equal to or exceed the total supplements to be paid. Upon the payment of supplements to all supplement eligible counties, any moneys remaining in the fund shall be paid into the general fund of this state.

(d) Each supplement eligible county shall be paid 200% of its supplement net revenue loss (the excess of base year net revenue as defined in Section 7 of this Act over supplement base year revenue) by the board from the fund from the supplement beer escrow fund, as follows:

For the fiscal year commencing October 1, 1986, and ending September 30, 1987, the payment to each supplement eligible county shall be 100% of its supplement net revenue loss, or excess of base year net revenue over supplement base year revenue, and for the fiscal year October 1, 1987 through September 30, 1988, 100% of its supplement net revenue loss.

The board shall pay the supplement to each supplement eligible county on the 15th day of the months of March, June and September of the years, 1987 and 1988, an amount equal to one-third (1/3) of the total annual supplement payment to be made during that fiscal year; provided, should the supplement beer tax escrow fund not contain sufficient money to make any given payment, any deficiency shall be made up on the next succeeding payment or payments.

(e) Any Eligible County desiring to assert a claim of eligibility for the supplement under this Section must file its claim with the board within 60 days after September 30, 1986. Upon the filing of such claim, the board shall, within 60 days after the filing of a claim, investigate and determine the eligibility of the claim of said Eligible County for supplement and, if eligible for the supplement, the amount of its supplement. The decision of the board on supplement eligibility and the supplement amount shall be final and binding. No dry county shall be eligible to receive a supplement on or after the effective date of its becoming a dry county."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	Taylor
Bailey	Hilliard	Miller	Teague (B)
Britnell	Holmes	Mitchem	Teague (J)
Cook	Keener	Parsons	Vacca
Denton	Kirkland	St. John	Weeks
Glass	Lemaster	Smith	White
Goodwin	Little		

Nays:

—0

Mr. Lemaster offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED.

Amend House Bill 165, as amended by the House by deleting the Smith amendment in its entirety and substituting in lieu thereof the following:

"Amend H. 165 Section 1(c)(2) by deleting in its entirety subsection (xx) where it appears on page 13 and substitute in lieu thereof the following:

(xx) Madison County. The proceeds of the tax shall be paid by wholesalers to the County Commission or like governing body and shall be distributed as follows:

(A) One-ninth (1/9) to the County General Fund.

(B) The remainder of the tax shall be distributed to the municipality where sold, including its police jurisdiction. Provided, however, that the following municipalities shall receive a dollar amount no less than the dollar amount actually received during the base year 1982:

Gurley

New Hope

Owens Crossroads

Triana

Which was lost.

Yeas 1; Nays 1; Abstaining 1.

Yea: Mr. Lemaster.

—1

Nay: Mr. Smith.

—1

Abstaining: Mr. Parsons.

—1

Mr. Little offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend House Bill No. 165 Page 24 Line 12, by striking out the word October and substituting the word November.

Also:

Amend House Bill No. 165 Page 12 Line 30, by adding the following sentence:

"Provided however that any subsidy received shall be paid to the city of Auburn."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Bailey
Britnell
Cook
Denton
Goodwin

Gulledge
Higginbotham
Keener
Kirkland
Little
Martin

Mitchem
Parsons
Proctor
St. John
Smith

Taylor
Teague (B)
Teague (J)
Weeks
White

—21

Nays:

—0

Mr. Little then offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend House Bill No. 165 Page 28, by inserting a new section 11 to read as follows:

Section 11. This act shall terminate at midnight on September 30, 1990, unless otherwise revived by enactment or Joint Resolution following October 1, 1988.

and re-number remaining sections accordingly.

On motion of Mr. Cook, said amendment was laid on the table.

Yeas 17; Nays 6.

Yeas:

Messrs.:	Figures	Kirkland	Taylor
Bailey	Goodwin	Martin	Teague (B)
Callahan	Higginbotham	Proctor	Weeks
Cook	Hilliard	St. John	White
Denton	Holmes		

—17

Nays:

Messrs.:	Little	Mitchem	Teague (J)
Keener	Miller	Smith	

—6

Mr. Teague (J) offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend H. 165 Section 1(c)(2) by deleting in its entirety subsection (xxviii) where it appears on page 17 and substituting in lieu thereof the following:

(xxviii) Talladega County. The tax shall be paid to the probate judge and, after deduction of all expenses of collecting and administering the tax, the proceeds of the tax shall be distributed as follows: After determining net revenue received in the base year (county plus all municipalities), distribution of future revenue to each entity presently receiving beer tax distributions shall be in the same proportion as each entity's revenue to the total net revenue was during the base year.

The following entities shall be entitled to a share of beer tax revenue:

Talladega County	Community of Munford
Talladega County Board	Community of Eastaboga
of Education	North Talladega County Association
City of Talladega	for Retarded Citizens, Inc.
City of Sylacauga	South Talladega County Association
City of Childersburg	For Retarded Citizens, Inc.
City of Lincoln	

Provided, however, that from the county share, the sum of \$6,500 shall be spent as follows: (A) the sum of \$1,500 per annum shall be spent in the unincorporated community of Eastaboga for public projects for the benefit of said community; (B) the sum of \$2,500 per annum shall be spent in the unincorporated community of Munford to provide rural health care in the existing rural health clinic in said community; and (C) the sum of \$2,500 per annum shall be spent in the unincorporated community of Munford for youth activities, including the construction, improvement, lighting and maintenance of athletic playing fields.

The North and South Talladega County Associations for Retarded Citizens, Inc. shall receive from the county the same proportion of revenue received during the base year (1982).

Provided further, that the Talladega County Board of Education shall divide its share of the beer tax revenue between itself and the city boards of education now existing within the county pro rata in the same manner as public school funds from the State are apportioned in said county under the Minimum Program Fund Law.

For all purposes of enforcement of the provisions of this act, it is a prima facie presumption of law that any wholesaler or jobber subject to the act has accrued a liability for the taxes levied herein for the total amount of alcoholic beverages handled by it during any tax period under the act. The burden of proof is upon any such person to prove that any such alcoholic beverages disposed of in such a manner as not to become subject to the taxes imposed in this act were so disposed of in such a manner. It shall be the duty of any person subject to the privilege or license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and of all other matters from which the correct amount of privilege or license tax to which such person is subject may be ascertained; and, in the event that such person shall discontinue his business, he shall not destroy or dispose of such records until he shall be given the probate judge of the county thirty days notice in writing of his intent to destroy or dispose of such records. The failure of such person to keep such records, or his destruction or disposition of such records without giving such notice, shall constitute a misdemeanor.

Upon demand by the probate judge or his authorized deputy, auditor, or representative, it shall be the duty of any such person subject to the privilege or license tax imposed by this act to furnish such demanding person, without delay, all such information as may be required for determination of the correct amount of privilege or license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination, during reasonable hours, at such person's place of business within the county, all books of accounts, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of privilege or license tax to which such person is subject may be determined including exhibition of bank deposit books and bank statements; and any person failing or refusing to submit such records for such inspection and examination upon such demand, shall be guilty of a misdemeanor.

If any person subject to the provisions of this act does not have in such person's control or possession, within the county, true and intelligible books of accounts, invoices, papers, reports or memoranda correctly showing the date and information necessary for determination of the correct amount of the privilege or license tax due, or if, having in such person's possession or under such person's control such books, invoices, papers, reports or

memoranda, such person shall fail or refuse to submit and exhibit the same for inspection and examination as herein required, then, in either event, it shall be the duty of the probate judge of the county to ascertain, from such information and data as he may reasonably obtain, the correct amount of license tax due from such person and immediate payment of the amount of such privilege or license tax shall be made.

All records and reports filed in the Probate Office under this act shall be public records and shall be open to inspection by any person during all probate office hours.

The probate judge of the county shall provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license taxes authorized by this act. Each municipality within the county shall provide aid and assistance in collecting the taxes herein provided for within its territory. The probate judge may employ a person or persons to act as inspectors and otherwise to assist in the enforcement of the provisions of this act. The salary and expenses of such inspectors shall be paid out of the county general fund in such manner as is provided by law. Such inspectors shall have the same powers relative to enforcement of the taxes hereby levied that law enforcement officers employed by the Alabama Alcoholic Beverage Control Board have relative to enforcing the state tax on spirituous liquors and on malt and brewed beverages. Any municipality in the county may also employ a special alcoholic beverage law enforcement officer for such municipality whose chief duty shall be enforcement of this act.

In addition to all other records and reports required under this act, such wholesale distributor shall, by the 20th day of each month, file a report with the probate judge showing his inventory of beer on the first day of the preceding month, by brand and type of container, his inventory of beer on the last day of the preceding month, an accounting for all beer broken or damaged during the preceding month, proof of state authorization for transfers to other wholesale distributors, and a record of all beer in transit to such distributor from breweries.

In addition to all other records and reports required under this act, such private club shall file with the probate judge on or before the 20th day of each month detailed inventory of all alcoholic beverages on hand on the first day and the last day of the preceding month, and a record of all purchases of alcoholic beverages made by it during the preceding month.

In addition to all other reports and records required under this act, each retail beer seller shall file with the probate judge on or before the 20th day of each month a detailed inventory of all beer on hand on the first day and the last day of the preceding month.

The license of any wholesale distributor, private club, or retail seller failing or refusing to file the reports shall be suspended forthwith by the probate judge pending receipt of such report.

MOTION TO ADJOURN LOST

At 8:55 P.M., Mr. Proctor moved that the Senate adjourn until Tuesday, April 20, at 2 o'clock P.M., which motion was lost.

Yeas 14; Nays 14.

Yeas:

Messrs.:	Hall	Little	Smith
Denton	Keener	McDonald	Teague (J)
Figures	Kirkland	Miller	Vacca
Gulledge	Lemaster	Parsons	

Nays:

Messrs.:	Harrison	Martin	Teague (B)	
Callahan	Higginbotham	Proctor	Weeks	
Cook	Hilliard	Robertson	White	
Goodwin	Holmes	Taylor		—14

FURTHER CONSIDERATION OF H. B. 165

The Senate proceeded to further consideration of the Bill, H. B. 165, as amended. The question was on the amendment offered by Mr. Teague (J).

And said amendment was then adopted by the Senate.

Yeas 15; Nays 0.

Yeas:

Messrs.:	Denton	Higginbotham	McDonald	
Bailey	Glass	Holmes	Proctor	
Callahan	Goodwin	Keener	Teague (J)	
Cook	Gulledge	Kirkland		—15

Nays: —0

Mr. Teague (J) then offered the following amendment to the Bill, H. B. 165, as amended, to-wit:

AMENDMENT TO H. B. 165, AS AMENDED

Amend House Bill No. 165 by deleting the words "one and one-half cents (1½¢)" where they appear on lines 10 and 11 on page 2 and on line 27 on page three and substituting in lieu thereof the following:

"one and six hundred twenty-five thousandths cents (1.625¢)

Which was adopted.

Yeas 19; Nays 5.

Yeas:

Messrs.:	Hall	Parsons	Teague (B)	
Britnell	Holmes	Proctor	Teague (J)	
Denton	Keener	Robertson	Vacca	
Goodwin	Kirkland	St. John	Weeks	
Gulledge	Little	Taylor	White	—19

Nays:

Messrs.:	Higginbotham	McDonald	Miller	
Cook	Lemaster			—5

And said Bill, H. B. 165, as thus amended, was read a third time at length and passed.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Higginbotham	Robertson	Teague (J)	
Bailey	Hilliard	St. John	Vacca	
Callahan	Holmes	Smith	Weeks	
Figures	Kirkland	Taylor	White	
Goodwin	Pearson	Teague (B)		—18

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Nays:

Messrs.:	Denton	Keener	McDonald
Britnell	Gulledge	Lemaster	Miller
Cook	Hall	Little	Mitchem
deGraffenried	Harrison	Martin	Parsons

—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 240. DECLARING THE WEEK OF MAY 30-JUNE 5, 1982 "ALABAMA POULTRY WEEK".

Also:

S. J. R. 241. MOURNING THE DEATH OF DOCTOR EMMETT T. BRUNSON, PROMINENT ENTERPRISE PHYSICIAN AND A DISTINGUISHED ALABAMIAN.

Also:

S. J. R. 251. COMMENDING GORDON R. SHEWMAKE, ALABAMA STATE COMMANDER OF THE VETERANS OF FOREIGN WARS.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 537. To require that group, individual, or blanket hospital or medical expense insurance policies or hospital or medical service contracts issued for delivery in this State which include mental health services in the terms of the policies or contracts, shall include reimbursement for services rendered by a duly qualified psychologist of this State notwithstanding any provisions of the policies or contracts to the contrary.

was taken up.

Mr. Teague (J) offered the following substitute for the Bill, S. B. 537, to-wit:

SUBSTITUTE FOR S. B. 537

A BILL
TO BE ENTITLED
AN ACT

To require that group, or blanket hospital or medical expense insurance policies or hospital or medical service contracts issued for delivery in this State which include mental health services in the terms of the policies or contracts, shall include reimbursement for outpatient services, and inpatient services if requested by the attending physician, rendered by duly qualified psychiatrists and psychologists of this State notwithstanding any provisions of the policies or contracts to the contrary.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Whenever any group, or blanket hospital or medical expense insurance policy or hospital or medical service contract issued for delivery in this State provides for the reimbursement of health or health related services which includes mental health services, and such services are within the lawful scope of practice of a duly qualified psychiatrist or psychologist, the insured or other person entitled to benefits under such policy or contract shall be entitled to reimbursement for outpatient services, and inpatient services if requested by the attending physician, performed by a duly qualified psychiatrist or psychologist notwithstanding any provisions of the policy or contract to the contrary.

(b) For purposes of this Act, a duly qualified psychologist means, one who is duly licensed or certified at the doctorate level in the State by the licensing board for psychologists of the State where the service is rendered, has had at least two years post-doctoral, clinical experience in a recognized health setting or has met the standards of the National Register of Health Service Providers in Psychology which require two years post-doctoral, clinical experience.

Section 2. Nothing in this Act shall be construed to mandate or require an insurance company to include mental health services in a policy or contract which does not include such services, nor shall it be construed to expand the scope or nature of benefits provided when mental health services are included in a policy or contract.

Section 3. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision or portion of this Act be held to be unconstitutional, or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act.

Section 4. All laws or parts of law which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law and shall apply to policies or contracts covered by the Act delivered or issued for delivery in this State on and after such effective date and to group and blanket policies and contracts issued prior to the effective date on the next anniversary or renewal date or the expiration of the applicable collective bargaining agreement, if any, whichever date is the later.

Which was adopted.

Yeas 19; Nays 3.

Yeas:

Messrs.:	Hall	Lemaster	Robertson
Britnell	Higginbotham	Little	Taylor
Denton	Holmes	McDonald	Teague (J)
Figures	Keener	Miller	Vacca
Gulledge	Kirkland	Proctor	White

—19

Nays: Messrs.: Parsons, Teague (B) and Weeks.

—3

And said Bill, S. B. 537, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 14; Nays 4.

Yeas:

Messrs.:	Hall	Lemaster	Taylor
Britnall	Higginbotham	Little	Teague (J)
Denton	Holmes	Miller	Vacca
Gulledge	Kirkland	Proctor	—14

Nays: Messrs.: Parsons, Teague (B), Weeks and White. —4

On motion of Mr. Teague (J), Rule 35 was suspended to allow transmittal to the House of the above Bill.

The Bill:

S. 355. To amend Sections 33-5-1 through 33-5-36 of the Code of Alabama 1975, relating to registration and operation of vessels on the waters of this state and Section 40-17-31 pertaining to Marine Fuel Tax so as to transfer the Marine Police Division from the Department of Conservation and Natural Resources to the Department of Public Safety.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Taylor
Britnell	Gulledge	Little	Teague (J)
Callahan	Hall	Miller	Vacca
Cook	Higginbotham	Parsons	Weeks
Denton	Holmes	Proctor	White
Figures	Kirkland	Robertson	—22

Nays: —0

On motion of Mr. Vacca, Rule 35 was suspended to allow transmittal to the House of the above Bill.

The Bill:

S. 244. To provide that full-time employees and executive officers of the Alabama Vocational Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Association and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the state.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Little	Robertson
Callahan	Harrison	McDonald	Taylor
Denton	Higginbotham	Miller	Weeks
Goodwin	Holmes	Parsons	White
Gulledge	Kirkland	Proctor	—18

Nays: —0

On motion of Mr. Higginbotham, Rule 35 was suspended to allow transmittal to the House of the above Bill.

The Bill:

S. 543. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

was taken up.

On motion of Mr. Gullledge, further consideration of the Bill, S. B. 543, was postponed temporarily.

The Bill:

S. 395. To create a fund for the Alabama alcoholic beverage control board to be used for inventory purposes by providing that no taxes collected on alcoholic beverages sold by said board or such funds distributed as net profits by said board shall be distributed for at least 25 days by October 1, 1983, for at least 55 days by September 30, 1984, for at least 85 days by September 30, 1985, for at least 115 days by September 30, 1986, for at least 120 days by September 30, 1987 and thereafter, after the close of the month in which said taxes have been collected or such funds distributed as net profits are realized; to provide that any funds now accumulated as a working capital fund or reserve shall be distributed to the several beneficiaries on the same basis as withheld; to provide that all laws or parts of laws in conflict or inconsistent herewith are repealed; to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Harrison	Miller	Teague (B)
Britnell	Holmes	Parsons	Teague (J)
Callahan	Kirkland	Proctor	Vacca
Denton	Little	Robertson	Weeks
Goodwin	McDonald	Taylor	White
Hall			

—20

Nays:

—0

On motion of Mr. Goodwin, Rule 35 was suspended to allow transmittal to the House of the above Bill.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Cook, further consideration of all Senate Bills remaining on the Calendar, with the exception of the Bills, S. B.'s 196, 471, 380, 410, 464, 466, 472, 332, 390, 144, and 543, was indefinitely postponed.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

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S. B. 91

S. B. 484

S. J. R. 226

S. J. R. 227

Delivered to the Governor April 15, 1982, at 1:05 P.M.

S. B. 89

Delivered to the Governor April 15, 1982, at 2:00 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 10:10 P.M., on motion of Mr. Proctor, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, April 20, 1982, at 2:01 P.M.

Yeas 18; Nays 6.

Yeas:

Messrs.:	Higginbotham	Little	Robertson
Britnell	Hilliard	McDonald	Taylor
Denton	Holmes	Miller	Teague (J)
Figures	Kirkland	Parsons	Vacca
Hall	Lemaster	Proctor	—18

Nays:

Messrs.:	Cook	Gulledge	White
Callahan	Goodwin	Weeks	—6

TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, APRIL 20, 1982

The Senate met pursuant to adjournment, Lieutenant Governor McMillan presiding.

PRAYER

The Session was opened with prayer by Mr. Greg McKinnon, Minister of Youth, Frazer Memorial United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Callahan	Hilliard	Mitchem	Teague (B)
Cook	Holmes	Parsons	Teague (J)
deGraffenried	Keener	Pearson	Vacca
Denton	Kirkland	Proctor	Weeks
Figures	Lemaster	Robertson	White
Gulledge	Little		

—33

JOURNAL

On motion of Mr. deGraffenreid, the reading of the Journal of yesterday was dispensed with.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

ALBERT McDONALD,
Chairman.

COMMITTEE REPORT

On motion of Mr. McDonald, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. deGraffenried, leave of absence was granted Messrs. Glass and Goodwin for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 153. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1983.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 751. To Amend Section Five of Act No. 651, H. 377, Regular Session 1975 (Acts 1975, P. 1408) which provides retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

Also:

H. J. R. 350. COMMENDING SPEAKER JOE C. McCORQUODALE, JR., FOR HIS EIGHT YEARS OF CHRISTIAN LEGISLATIVE LEADERSHIP.

Also:

H. J. R. 351. SALUTING BERGERON INDUSTRIES, INC. FOR SELECTING ALABAMA FOR ITS 1982 INDUSTRIAL EXPANSION.

Also:

H. J. R. 354. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

Also:

H. J. R. 366. Relative to legislative meeting dates Tuesday, April 20, 1982 through April 26, 1982.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 359. HONORING MR. RAYMOND J. ISLEY OF BIRMINGHAM, ALABAMA.

Also:

H. J. R. 360. COMMENDING THE GROUP, "LIGHTHOUSE," OF ALABAMA CHRISTIAN COLLEGE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 153. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 115. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Board of Examiners of Landscape Architects as provided in sections 24-17-1 through 34-17-27 of the Code of Alabama 1975, with certain modifications; to amend sections 34-17-24 and 34-17-25, so as to increase fees and penalties to allow for increased costs of administration of the board.

Also:

S. 508. To supplement the salary of a supernumerary Circuit District Attorney of the Tenth Judicial Circuit of Alabama.

Also:

S. 504. Relating to Winston County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

Also:

S. 84. To provide in addition to benefits now received, a retirement cost-of-living increase to all persons retired under the Teachers' Retirement System and Employees' Retirement System of Alabama, prior to October 1, 1981, provided that no person whose retirement under the Employees' Retirement System is based on 51% or more service as an employee of an employer participating under Section 36-27-6, shall be entitled to receive said increase unless the employer by which he was employed elects to come under the provisions of this Act; provided further that employees in this class whose employer was a local board of education or a state supported institution of higher education shall be entitled to said increase and the cost associated therewith shall be financed from existing funds of the Employees' Retirement System and the Teachers' Retirement System under certain conditions; to provide that any person whose eligibility to receive medicaid benefits would be impaired by the increase granted herein shall not be entitled to receive said increase, to provide that such increase shall not apply to persons receiving benefits under the Judicial Retirement Fund of Alabama; and to provide for the repeal of conflicting laws.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 240. DECLARING THE WEEK OF MAY 30-JUNE 5, 1982 "ALABAMA POULTRY WEEK."

Also:

S. J. R. 241. MOURNING THE DEATH OF DOCTOR EMMETT T. BRUNSON, PROMINENT ENTERPRISE PHYSICIAN AND A DISTINGUISHED ALABAMIAN.

Also:

S. J. R. 245. COMMENDING CRIMSON TIDE BASKETBALL STAR, EDDIE PHILLIPS, OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 251. COMMENDING GORDON R. SHEWMAKE, ALABAMA STATE COMMANDER OF THE VETERANS OF FOREIGN WARS.

ALBERT McDONALD,
Chairman.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 151. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 151

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning House Bill 151, have met, considered the bill, and have agreed to the attached:

Respectfully submitted,

WALTER OWENS,

JAMES G. SASSER,

LEIGH PEGUES,

Conferees on the part of the House.

J. RICHMOND PEARSON,

HINTON MITCHEM,

BOBBY DENTON,

Conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 151

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983.

Be It Enacted by the Legislature of Alabama:

Section 1. The monies in Section 2 are appropriated from the named funds for the 1982-83 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the needs of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1975, Act No. 494, 1976 Regular Session. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State Employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriations.

A. LEGISLATIVE:

1. Examiners of Public Accounts,
Department of:

(a) Legislative Support-Audit Services Program

3,641,152

SOURCE OF FUNDS:

(1) State General Fund	<u>3,641,152</u>	
Total Department of Examiners of Public Accounts	<u>3,641,152</u>	<u>3,641,152</u>

In addition to the above appropriation, there is hereby appropriated \$1,550,000 to the Department of Examiners of Public Accounts to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

2. Legislative Council:

(a) Legislative Operations and Support Program		130,000
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(For Operations of the Council including out-of-state travel by Council members and members of the Legislature authorized to attend Legislative conferences by joint resolution of the Legislature.)

SOURCE OF FUNDS:

(1) State General Fund	<u>130,000</u>	
Total Legislative Council	<u>130,000</u>	<u>130,000</u>

3. Legislative Fiscal Office:

(a) Legislative Operations and Support Program		450,558
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SOURCE OF FUNDS:

(1) State General Fund	<u>450,558</u>	
Total Legislative Fiscal Office ...	<u>450,558</u>	<u>450,558</u>

4. Legislative Reference Service:

(a) Legislative Operations and Support Program		800,000
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The appropriation to the Legislative Reference Service shall include a transfer to the State Personnel Department of \$1,118.

SOURCE OF FUNDS:

(1) State General Fund	<u>800,000</u>	
Total Legislative Reference Service	<u>800,000</u>	<u>800,000</u>

5. Legislature:

(a) Senate Operations and Support Program		1,219,510
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(b) House Operations and Support
Program 1,830,722

SOURCE OF FUNDS:

(1) State General Fund 3,050,232

Total Legislature 3,050,232 3,050,232

6. Legislatures, National Confer-
ence of State:

(a) Legislative Operations and
Support Program 54,365

SOURCE OF FUNDS:

(1) State General Fund 54,365

Total National Conference of State
Legislatures 54,365 54,365

B. JUDICIAL:

1. Court of Civil Appeals:

(a) Court Operations Program .. 753,940

SOURCE OF FUNDS:

(1) State General Fund 753,940

Total Court of Civil Appeals 753,940 753,940

In addition to the above appropria-
tion, there is hereby appropri-
ated \$23,208 to the Court of Civil
Appeals to be conditioned on the
availability of funds in the State
General Fund and upon the ap-
proval of the Governor.

2. Court of Criminal Appeals:

(a) Court Operations Program .. 1,114,316

SOURCE OF FUNDS:

(1) State General Fund 1,114,316

Total Court of Criminal Appeals . 1,114,316 1,114,316

In addition to the above appropria-
tion, there is hereby appropri-
ated \$31,328 to the Court of
Criminal Appeals to be con-
ditioned on the availability of
funds in the State General Fund
and upon the approval of the
Governor.

3. Judicial Inquiry Commission:

(a) Administrative Services Pro-
gram 73,771

SOURCE OF FUNDS:

(1) State General Fund	<u>73,771</u>	
Total Judicial Inquiry Commission	<u>73,771</u>	<u>73,771</u>
4. Judicial Retirement System:		
(a) Retirement Systems Program		1,053,000
SOURCE OF FUNDS:		
(1) State General Fund	<u>1,053,000</u>	
Total Judicial Retirement System	<u>1,053,000</u>	<u>1,053,000</u>
5. Supreme Court:		
(a) Court Operations Program ..		2,985,467
SOURCE OF FUNDS:		
(1) State General Fund	<u>2,971,467</u>	
(2) Federal, Local and Miscellaneous Funds		<u>14,000</u>
Total Supreme Court	<u>2,971,467</u>	<u>2,985,467</u>

In addition to the above appropriation, there is hereby appropriated \$55,105 to the Supreme Court to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

6. Unified Judicial System:		
(Administrative Office of Courts)		
(a) Court Operations Program ..		43,195,236
(b) Administrative Services Program		3,585,072
SOURCE OF FUNDS:		
(1) State General Fund	<u>46,780,308</u>	
Total Unified Judicial System ...	<u>46,780,308</u>	<u>46,708,308</u>

In addition to the above appropriation, there is hereby appropriated \$2,174,632 to the Unified Judicial System to be conditioned on the availability of funds in the State General Fund and upon approval of the Governor.

C. EXECUTIVE

1. Academy of Honor, Alabama:		
(a) Historical Resources Management Program		1,000
SOURCE OF FUNDS:		
(1) State General Fund as provided in Title 41, Chapter 11, Section 6, 1975 Code of Alabama	<u>1,000</u>	

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Total Alabama Academy of Honor	1,000	1,000
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2. Accountancy, Alabama State Board of Public:

(a) Professional and Occupational Licensing and Regulation Program		187,000
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SOURCE OF FUNDS:

(1) Alabama State Board of Public Accountancy Fund	187,000	
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As provided in Title 34, Chapter 1, Section 22, 1975 Code of Alabama.

In addition to the amounts appropriated hereinabove to the State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.

Total Alabama State Board of Public Accountancy	187,000	187,000
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3. Adjustment, Board of:

(a) Special Services Program		165,000
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SOURCE OF FUNDS:

(1) State General Fund for the General Fund Contribution to the total expenditure of \$350,000 pursuant to Title 41, Chapter 9, Section 73, 1975 Code of Alabama	15,000	
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(2) State General Fund for expenditures as provided in Title 31, Chapter 3 and Title 36, Chapter 30, Article 1, 1975 Code of Alabama, Estimated	150,000	
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Total Board of Adjustment	165,000	165,000
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4. Aeronautics, Department of:

(a) Airport Development and Aeronautical Support Program		625,387
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The appropriation to the Department of Aeronautics shall include a transfer to the State Personnel Department of \$266.

SOURCE OF FUNDS:

(1) Airport Development Fund ..	625,387	
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As provided by Title 4, Chapter 2,
Section 42, 1975 Code of Ala-
bama.

Total Department of Aeronautics	<u>625,387</u>	<u>625,387</u>
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5. Aging, Commission on:

(a) Planning and Advocacy for El- derly Program	13,475,247
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The appropriation to the Commis-
sion on Aging shall include a
transfer to the State Personnel
Department of \$852.

(b) Retired Senior Volunteer Pro- gram	339,000
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In addition to the programs cur-
rently funded by the funds allo-
cated to the Retired Senior Citi-
zens Volunteer Programs, the
following programs will receive
the same pro rata share of the
total appropriation as received
by the Retired Senior Citizens
Volunteer Programs; Foster
Grandparent Program-Decatur;
Foster Grandparent Program-
Birmingham; Foster Grandpa-
rent Program-Russellville; Fos-
ter Grandparent Program-
Mobile; and the Senior Compan-
ion Program-Mobile.

SOURCE OF FUNDS:

(1) State General Fund Transfer	1,117,864		
(2) Federal, Local and Miscellane- ous Funds		<u>12,696,383</u>	
Total Commission on Aging	<u>1,117,864</u>	<u>12,696,383</u>	<u>13,814,247</u>

6. Agricultural Center Board:

(a) Agricultural Development Services Program	577,040
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The appropriation to the Agricul-
tural Center Board shall include
a transfer to the State Personnel
Department of \$692.

SOURCE OF FUNDS:

(1) State General Fund	120,000
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For expense and awarding of prizes
for fairs as provided in Title 2,
Chapter 7, Article 2, 1975 Code of
Alabama.

(2) State General Fund Transfer	308,840
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(3) Livestock Coliseum Fund		148,200	
Total Agricultural Center Board .	428,840	148,200	577,040

7. Agricultural and Industrial Exhibit Commission, Alabama:

(a) Agricultural Development Services Program			31,428
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SOURCE OF FUNDS:

(1) State General Fund	31,428		
Total Alabama Agricultural and Industrial Exhibit Commission	31,428		31,428

8. Agriculture and Industries, Department of:

(a) Administrative Services Program			1,131,743
(b) Agricultural Inspection Services Program			10,104,143
(c) Laboratory Analysis and Disease Control Program			3,420,097
(d) Agricultural Development Services Program			636,006

The appropriation to the Department of Agriculture and Industries shall include a transfer to the State Personnel Department of \$22,897.

SOURCE OF FUNDS:

(1) State General Fund Transfer	6,817,139		
(2) Federal, Local and Miscellaneous Funds		2,167,180	
(3) Shipping Point Inspection Fund		4,207,020	

Pursuant to Title 2, Chapter 9, Sections 20 and 21, 1975 Code of Alabama. All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(4) Agricultural Fund		2,100,650	
Total Department of Agriculture and Industries	6,817,139	8,474,850	15,291,989

In addition to the above appropriation there is hereby appropriated \$2,000,000 to the Department of Agriculture and Industries for Capital Outlay for the Farmer's Market in Montgomery to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

9. Alcoholic Beverage Control Board, Alabama:

(a) Alcoholic Beverage Management Program	26,536,720
(b) Licensing, Regulation and Enforcement Program	5,742,662
(c) Administrative Services Program	4,090,728

The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the State Personnel Department of \$61,344, and to Mental Health of \$1,000,000.

SOURCE OF FUNDS:

(1) ABC Board Fund	36,370,110
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

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Total Alabama Alcoholic Beverage Control Board	36,370,110	36,370,110
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10. Architects Board for Registration of:

(a) Professional and Occupational Licensing and Regulation Program		111,300
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The appropriation to the Board for Registration of Architects shall include a transfer to the State Personnel Department of \$106.

SOURCE OF FUNDS:

(1) Fund of the Board for Registration of Architects, as provided in Title 34, Chapter 2, Section 23, Code of Alabama 1975	111,300	
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Total Board for Registration of Architects	111,300	111,300
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11. Archives and History:

(a) Historical Resources Management Program		1,027,322
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SOURCE OF FUNDS:

(1) State General Fund	1,012,322	
(2) Federal, Local and Miscellaneous Funds	15,000	

Total Archives and History	1,012,322	15,000	1,027,322
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12. Attorney General, Office of the:

(a) Legal Advice and Legal Services Program		4,858,336
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(b) Fair Marketing Practices Program		382,590
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SOURCE OF FUNDS:

(1) State General Fund	3,927,995	
(2) Transfer from Pensions and Security		622,609
(3) Federal, Local and Miscellaneous Funds	690,322	

Total Office of the Attorney General	3,927,995	1,312,931	5,240,926
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In addition to the above appropriation, there is hereby appropriated \$14,136 to the Attorney General's Office to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

13. Auditor, State:

(a) Fiscal Management Program		762,157
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SOURCE OF FUNDS:

(1) State General Fund	762,157	
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Total State Auditor	<u>762,157</u>	<u>762,157</u>
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14. Banking Department, State:

(a) Charter, License, and Regulate Financial Institutions Program		2,156,850
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The appropriation to the State Banking Department shall include a transfer to the State Personnel Department of \$2,449.

SOURCE OF FUNDS:

(1) Banking Assessment Fees ...	1,682,338	
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As provided in Title 5, Chapter 1,
Section 5, 1975 Code of Alabama.

(2) Bureau of Credit Unions	197,267	
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As provided in Title 5, Chapter 2,
Article 5, Divisions 1 and 2, 1975
Code of Alabama.

(3) Loan Examination Fund	277,245	
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As provided in Title 5, Chapter 18,
Sections 1-24, 1975 Code of Ala-
bama.

Total State Banking Department	<u>2,156,850</u>	<u>2,156,850</u>
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15. Bar Association, Alabama
State:

(a) Professional and Occupational Licensing and Regulation Pro- gram		716,385
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SOURCE OF FUNDS:

(1) State Bar Association Fund, as provided in Title 34, Chapter 3, 1975 Code of Alabama	<u>716,385</u>	
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Total Alabama State Bar Associa- tion	<u>716,385</u>	<u>716,385</u>
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16. Bear Creek Development Au-
thority:

(a) Water Resource Development Program		192,918
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SOURCE OF FUNDS:

(1) State General Fund	26,093		
(2) Federal, Local and Miscellaneous Funds		<u>166,825</u>	
Total Bear Creek Development Authority	<u>26,093</u>	<u>166,825</u>	<u>192,918</u>

17. Brierfield Ironworks Park:

(a) Outdoor Recreation Sites and Services Program			102,597
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SOURCE OF FUNDS:

(1) State General Fund	25,000		
(2) Federal, Local and Miscellaneous Funds	<u>77,597</u>		
Total Brierfield Ironworks Park .	<u>25,000</u>	<u>77,597</u>	<u>102,597</u>

18. Building Commission:

(a) Special Services Program			846,585
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The appropriation to the Building Commission shall include a transfer to the State Personnel Department of \$373.

SOURCE OF FUNDS:

(1) State General Fund	252,383		
(2) Federal, Local and Miscellaneous Funds	<u>594,202</u>		
Total Building Commission	<u>252,383</u>	<u>594,202</u>	<u>846,585</u>

19. Cahaba-Advisory Committee:

(a) Historical Resources Management Program			25,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>25,000</u>		
Total Cahaba Advisory Committee	<u>25,000</u>		<u>25,000</u>

In addition to the above appropriation there is hereby appropriated \$250,000 to the Cahaba-Advisory Committee for capital outlay to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

20. Chiropractic Examiners, Alabama State Board of:

(a) Professional and Occupational Licensing and Regulation Program			31,500
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SOURCE OF FUNDS:

(1) Alabama State Board of Chiropractic Examiner's Fund as provided in Title 34, Chapter 24, Article 4, Divisions 1, 2 and 3, 1975 Code of Alabama	31,500		
Total Alabama State Board of Chiropractic Examiners	31,500		31,500

21. Civil Defense, Department of:			
(a) Readiness and Recovery Program			2,366,609
The appropriation to the Department of Civil Defense shall include a transfer to the State Personnel Department of \$1,438.			

SOURCE OF FUNDS:

(1) State General Fund	567,962		
(2) Federal, Local and Miscellaneous Funds	1,798,647		
Total Department of Civil Defense	567,962	1,798,647	2,366,609

22. Coastal Area Board, Alabama:			
(a) Coastal Area Management Program			704,500
The appropriation to the Alabama Coastal Area Board shall include a transfer to the State Personnel Department of \$373.			

SOURCE OF FUNDS:

(1) State General Fund-Transfer	48,500		
(2) Federal, Local and Miscellaneous Funds		656,000	
Total Alabama Coastal Area Board	48,500	656,000	704,500

23. Conservation and Natural Resources, Department of:			
(a) Wildlife and Game Program ..			11,633,496
(b) State Land Management Program			544,206
(c) Outdoor Recreation Sites and Services Program			13,074,886
(d) Administrative Services Program			2,186,038
(e) Marine Police Management Program			1,700,000
(f) Marine Resources Management Program			1,302,308

The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operating expenses. The appropriation to the Department of Conservation and Natural Resources shall include a transfer to the State Personnel Department of \$29,926.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	2,100,000	
(2) Game and Fish Fund		11,533,496
(3) State Lands Fund		544,206

The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.

(4) Marine Resources Fund	1,302,308
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In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division Programs or projects which he deems appropriate.

(5) Marine Police Fund	1,700,000
(6) State Parks Fund	10,674,886

The appropriation to the Department of Conservation and Natural Resources shall include such funds as are necessary for the maintenance, staff and repair of the Governor's official beach mansion.

(7) Administrative Funds	2,186,038
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The funds hereinabove appropriated shall be payable as provided in Title 9, Chapter 2, Section 1, 1975 Code of Alabama.

(8) Cigarette Tax	400,000
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Total Department of Conservation and Natural Resources	2,100,000	28,340,934	30,440,934
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In addition to the above appropriation there is hereby appropriated \$2,160,642 to Frank Jackson Park to be conditional upon the availability of funds in the State General Fund and upon approval of the Governor.

In addition to the above appropriation there is hereby appropriated \$500,000 for the purchase and development of Camp Cosby property for a state park in Jefferson County to be conditional upon the availability of funds in the State General Fund and upon approval of the Governor.

24. Contractors, State Licensing
Board for General:

(a) Professional and Occupational Licensing and Regulation Pro- gram	228,902
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The appropriation to the State Licensing Board for General Contractors shall include a transfer to the State Personnel Department of \$319.

SOURCE OF FUNDS:

(1) State Licensing Board for Gen- eral Contractors Fund	228,902
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Pursuant to Title 34, Chapter 8, 1975 Code of Alabama. In addition to the amounts appropriated herein above to the State Licensing Board for General Contractors there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

Total State Licensing Board for General Contractors	228,902	228,902
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25. Corrections, Board of:

(a) Administrative Services and Logistical Support Program ...	10,311,811
(b) Institutional Services Corre- ctions Program	61,222,679
(c) Correctional Industries Pro- gram	6,862,533

The appropriation to the Board of Corrections shall include a transfer to the State Personnel Dept. of \$68,053.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	72,928,973
(2) Federal, Local and Miscellane- ous Funds	1,968,050
(3) Board of Corrections Fund ...	3,500,000

The Commissioner of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Board of Corrections. Any such grant funds so generated and in direct support of the Board of Corrections' operations are also hereby appropriated.

Total Board of Corrections	72,928,973	5,468,050	78,397,023
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In addition to the above appropriation there is hereby appropriated \$5,423,866 to the Board of Corrections to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

26. Cosmetology, Alabama Board
of:

(a) Professional and Occupational Licensing and Regulation Pro- gram	384,500
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The appropriation to the Alabama
Board of Cosmetology shall in-
clude a transfer to the State Per-
sonnel Department of \$479.

SOURCE OF FUNDS:

(1) Alabama Board of Cosmetology Fund	384,500
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As provided in Title 34, Chapter 7,
1975 Code of Alabama.

Total Alabama Board of Cosmetol- ogy	<u>384,500</u>	<u>384,500</u>
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27. Counseling, Alabama Board of
Examiners in:

(a) Professional and Occupational Licensing and Regulation Pro- gram	22,000
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners in Counseling Fund	22,000
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As provided in Title 34, Chapter
8A, 1975 Code of Alabama.

Total Alabama Board of Examiners in Counseling	<u>22,000</u>	<u>22,000</u>
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28. Criminal Justice Information
System, Alabama:

(a) Criminal Justice Information Services Program	2,778,248
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The appropriation to the Alabama
Criminal Justice Information
System shall include a transfer to
the State Personnel Department
of \$2,662.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	2,294,648
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(2) Federal, Local and Miscellane- ous Funds	<u>483,600</u>
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Total Alabama Criminal Justice Information System	<u>2,294,648</u>	<u>483,600</u>	<u>2,778,248</u>
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29. Dairy Commission, Alabama:

(a) Regulatory Services Program	369,400
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The appropriation to the Alabama
Dairy Commission shall include

a transfer to the State Personnel
Dept. of \$532.

SOURCE OF FUNDS:

(1) Alabama Dairy Commission Fund	369,400	
As provided in Title 2, Chapter 13, 1975 Code of Alabama.		
Total Alabama Dairy Commission	<u>369,400</u>	<u>369,400</u>
30. Development Office, Alabama:		
(a) Industrial Development Pro- gram		2,559,000
(b) Administrative Services Program - Office of Minority Business		160,395
(c) Alabama Film Commission - Promotional Development Pro- gram		220,000

The appropriation to the Alabama
Development Office shall include
a transfer to the State Personnel
Department of \$1,757.

SOURCE OF FUNDS:

(1) State General Fund - Transfer Alabama Development Office ..	2,509,000	
(2) State General Fund - Transfer Office of Minority Business ...	100,000	
(3) State General Fund - Transfer Alabama Film Commission ...	220,000	
(4) Federal, Local and Miscellane- ous Funds	<u>110,395</u>	
Total Alabama Develop- ment Office	<u>2,829,000</u>	<u>110,395</u>
		<u>2,939,395</u>

31. District Attorneys:

(a) Court Operations Program ..	8,131,568
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The proposed spending plan in-
cluded in the above total is as fol-
lows:

Salaries of District Attor-
neys1,579,760

Salary of elected Deputy District
Attorney of the Bessemer Divi-
sion of the 10th Judicial Cir-
cuit39,303

For use of the Elected Assistant
District Attorney of the Bes-
semer Division of the 10th Judi-
cial Circuit101,310

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Salaries and expenses of Supernumerary District Attorneys	669,811
For use in the District Attorney's Office of the 1st Judicial Circuit	87,367
For use in the District Attorney's Office of the 2nd Judicial Circuit	74,675
For use in the District Attorney's Office of the 3rd Judicial Circuit	117,548
For use in the District Attorney's Office in the 4th Judicial Circuit	329,606
For use in the District Attorney's Office of the 5th Judicial Circuit	274,842
For use in the District Attorney's Office of the 6th Judicial Circuit	239,993
For use in the District Attorney's Office of the 7th Judicial Circuit	142,743
For use in the District Attorney's Office of the 8th Judicial Circuit	114,746
For use in the District Attorney's Office of the 9th Judicial Circuit	108,676
For use in the District Attorney's Office of the 10th Judicial Circuit	368,687
For use in the District Attorney's Office of the 11th Judicial Circuit	94,375
For use in the District Attorney's Office of the 12th Judicial Circuit	201,354
For use in the District Attorney's Office of the 13th Judicial Circuit	354,021
For use in the District Attorney's Office of the 14th Judicial Circuit	99,456
For use in the District Attorney's Office of the 15th Judicial Circuit	351,306
For use in the District Attorney's Office of the 16th Judicial Circuit	159,900

For use in the District Attorney's Office of the 17th Judicial Cir- cuit	60,639
For use in the District Attorney's Office of the 18th Judicial Cir- cuit	176,804
For use in the District Attorney's Office of the 19th Judicial Cir- cuit	104,964
For use in the District Attorney's Office of the 20th Judicial Cir- cuit	153,861
For use in the District Attorney's Office of the 21st Judicial Cir- cuit	117,291
For use in the District Attorney's Office of the 22nd Judicial Cir- cuit	99,528
For use in the District Attorney's Office of the 23rd Judicial Cir- cuit	257,953
For use in the District Attorney's Office of the 24th Judicial Cir- cuit	93,288
For use in the District Attorney's Office of the 25th Judicial Cir- cuit	88,607
For use in the District Attorney's Office of the 26th Judicial Cir- cuit	156,368
For use in the District Attorney's Office of the 27th Judicial Cir- cuit	118,735
For use in the District Attorney's Office of the 28th Judicial Cir- cuit	114,405
For use in the District Attorney's Office of the 29th Judicial Cir- cuit	150,000
For use in the District Attorney's Office of the 30th Judicial Cir- cuit	150,939
For use in the District Attorney's Office of the 31st Judicial Cir- cuit	91,500
For use in the District Attorney's Office of the 32nd Judicial Cir- cuit	90,213

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For use in the District Attorney's
Office of the 33rd Judicial Cir-
cuit84,746

For use in the District Attorney's
Office of the 34th Judicial Cir-
cuit45,331

For use in the District Attorney's
Office of the 35th Judicial Cir-
cuit61,521

For use in the District Attorney's
Office of the 36th Judicial Cir-
cuit75,129

For use in the District Attorney's
Office of the 37th Judicial Cir-
cuit100,353

For use in the District Attorney's
Office of the 38th Judicial Cir-
cuit113,991

For use in the District Attorney's
Office of the 39th Judicial Cir-
cuit40,923

Appropriations of Salaries of Per-
sonnel Established by Statute
are estimated.

Travel Expense of District Attor-
neys75,000
8,131,568

Source of Funds:

(1) State General Fund 8,131,568

Total District Attorneys 8,131,568 8,131,568

In addition to the above appropria-
tion, there is hereby appropri-
ated \$458,408 to the District At-
torneys to be conditioned on the
availability of funds in the State
General Fund and upon approval
of the Governor.

32. Energy, Department of:

(a) Energy Management Program 6,025,612

The appropriation to the Depart-
ment of Energy shall include a
transfer to the State Personnel
Department of \$1,438

SOURCE OF FUNDS:

(1) State General Fund-Transfer 625,612

(2) Federal, Local and Miscellane-
ous Funds 5,400,000

Total Department of Energy	<u>625,612</u>	<u>5,400,000</u>	<u>6,025,612</u>
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33. Engineers and Land Surveyors, State Board of Registration for Professional:

(a) Professional and Occupational Licensing and Regulation Program			251,229
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The appropriation to the State Board of Registration for Professional Engineers and Land Surveyors shall include a transfer to the State Personnel Department of \$266.

SOURCE OF FUNDS:

(1) Professional Engineers' Fund		251,229	
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As provided in Title 34, Chapter 11, 1975 Code of Alabama, as amended and Act No. 1049 1975 Regular Session.

Total State Board of Registration for Professional Engineers and Land Surveyors		<u>251,229</u>	<u>251,229</u>
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34. Ethics Commission, Alabama:

(a) Regulation of Public Officials and Employees Program			233,024
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SOURCE OF FUNDS:

(1) State General Fund	<u>233,024</u>		
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Total Alabama Ethics Commission	<u>233,024</u>		<u>233,024</u>
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35. Farmers' Market Authority:

(a) Agricultural Development Services Program			166,672
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SOURCE OF FUNDS:

(1) State General Fund-Transfer For Administration	86,672		
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(2) Farmers' Market Authority Fund-Revenue and Capital Outlay Account		<u>80,000</u>	
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Total Farmers' Market Authority	86,672	80,000	166,672
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In addition to the above appropriation there is hereby appropriated \$250,000 to the Farmers' Market Authority for Capital Outlay and \$150,000 to the Perry County Farmers' Market Authority for Capital Outlay both to be conditional upon the availability of

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funds in the State General Fund
and upon the approval of the
Governor.

36. Finance, Department of:

(a) Fiscal Management Program	2,757,546
(b) Administrative Support Ser- vices Program	4,323,405

SOURCE OF FUNDS:

(1) State General Fund	7,080,951	
Total Department of Finance	<u>7,080,951</u>	<u>7,080,951</u>

In addition to the above appropria-
tion to the Department of Fi-
nance, there is hereby appropri-
ated \$1,000,000 to be conditioned
upon the availability of funds in
the State General Fund and the
approval of the Governor.

37. Finance, Department of-Air
Transportation Division:

(a) Administrative Support Ser- vices Program	2,050,308
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SOURCE OF FUNDS:

(1) State General Fund-Transfer	2,000,000		
(2) Departmental Receipts		<u>50,308</u>	
Total Department of Finance-Air Transportation Division	<u>2,000,000</u>	<u>50,308</u>	<u>2,050,308</u>

38. Forensic Sciences, Department
of:

(a) Forensic Science Services Pro- gram	3,883,717
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The appropriation to the Alabama
Department of Forensic Sciences
shall include a transfer to the
State Personnel Department
of \$4,260.

SOURCE OF FUNDS:

(1) State General Fund	3,833,217		
(2) Federal, Local and Miscellane- ous Funds		<u>50,500</u>	
Total Department of Forensic Sci- ences	<u>3,833,217</u>	<u>50,500</u>	<u>3,883,717</u>

In addition to the above appropria-
tion there is hereby appropriated
\$350,000 to the Department of

Forensic Sciences to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

39. Foresters, Alabama State Board of Registration for:

- | | |
|--|--------|
| (a) Professional and Occupational Licensing and Regulation Program | 17,900 |
|--|--------|

SOURCE OF FUNDS:

- | | |
|-----------------------------------|--------|
| (1) Professional Foresters' Fund. | 17,900 |
|-----------------------------------|--------|

As provided in Title 34, Chapter 12, 1975 Code of Alabama.

Total Alabama State Board of Registration for Foresters	17,900	17,900
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40. Forestry Commission, Alabama:

- | | |
|---|------------|
| (a) Forest Resource Protection Program | 10,002,268 |
| (b) Forest Resource Management and Development Program | 2,124,639 |
| (c) Education and Information Program | 512,560 |
| (d) Administrative Services Program | 1,730,364 |

The appropriation to the Alabama Forestry Commission shall include a transfer to the State Personnel Department of \$24,495.

SOURCE OF FUNDS:

- | | |
|----------------------------------|-----------|
| (1) State General Fund-Transfer | 8,699,521 |
| (2) Federal and Local Funds | 2,300,700 |
| (3) Forestry Commission Fund .. | 3,369,610 |

It is provided that in the event receipts into the Forestry Commission Funds relating to federal grants, county appropriations, seedling price increases, contributions, and inter-department transfers exceed amounts originally appropriated for these sources of funds such excess receipts are hereby appropriated. Of the above appropriation \$400,000 shall be used for rural and community fire protection.

Total Alabama Forestry Commission	8,699,521	5,670,310	14,369,831
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In addition to the above appropriation there is hereby appropriated \$2,000,000 to the Alabama Forestry Commission to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor. Of such conditional appropriation released, twenty-five percent (25%) shall be expended by the Alabama Forestry Commission for Rural and Community Fire Protection.

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41. Fort Morgan—Alabama Historical Commission:

(a) Historical Resources Management Program	625,547
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SOURCE OF FUNDS:

(1) State General Fund	125,547		
(2) Federal, Local and Miscellaneous Funds		500,000	
Total Alabama Historical Commission-Fort Morgan	125,547	500,000	625,547

In addition to the above appropriation there is hereby appropriated \$500,000 to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

42. Funeral Services, Alabama Board of:

(a) Professional and Occupational Licensing and Regulation Program	91,500
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SOURCE OF FUNDS:

(1) Alabama Funeral Directors and Embalmers Fund	91,500	
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As provided in Title 34, Chapter 13, 1975 Code of Alabama

Total Alabama Board of Funeral Services	91,500	91,500
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43. Geological Survey:

(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program	2,508,878
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The appropriation to the Geological Survey shall include a transfer to the State Personnel Department of \$3,940.

SOURCE OF FUNDS:

(1) State General Fund	1,388,724		
(2) Federal, Local and Miscellaneous Funds		1,120,154	
Total Geological Survey	1,388,724	1,120,154	2,508,878

44. Gorgas Memorial Board:

(a) Historical Resources Management Program	11,200
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SOURCE OF FUNDS:

(1) State General Fund	9,700		
As provided in Title 41, Chapter 9, Section 220 1975 Code of Ala- bama and an additional amount.			
(2) Federal, Local and Miscellane- ous Funds		1,500	
Total Gorgas Memorial Board ...	9,700	1,500	11,200

45. Governor's Office:

(a) Executive Direction Program			1,378,230
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SOURCE OF FUNDS:

(1) State General Fund	1,378,230		
Total Governor's office	1,378,230		1,378,230

46. Governor's Office-Legal:

(a) Executive Direction Program			120,000
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SOURCE OF FUNDS:

(1) State General Fund	120,000		
Total Governor's Office-Legal ...	120,000		120,000

47. Governor's Contingency Fund:

(a) Executive Direction Program			352,200
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SOURCE OF FUNDS:

(1) State General Fund	352,200		
Total Governor's Contingency Fund	352,200		352,200

48. Governor's Mansion:

(a) Executive Direction Program			209,271
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SOURCE OF FUNDS:

(1) State General Fund	209,271		
Total Governor's Mansion	209,271		209,271

49. Governor's Mansion Advisory
Board:

(a) Executive Direction Program			10,000
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SOURCE OF FUNDS:

(1) State General Fund	10,000		
Total Governor's Mansion Advi- sory Board	10,000		10,000

50. Health, Department of Public:

(a) Administrative Services Pro- gram			3,874,716
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(b) Health Support Services Program	37,972,571
Of this amount, \$7,738,688 shall go to the local health departments with each of the 67 departments receiving a base of \$40,000 and the remaining amount distributed equally on a per capita basis, based on the 1980 census.	
(c) Personal Health Improvement Program	36,071,875
(d) Environmental Health Improvement Program	8,841,115
(e) Special Services Program	2,757,553
(e) Special Services Program	2,757,533
(f) Health Planning, Development and Regulation Program	1,481,107
(g) University of Alabama in Birmingham-Biomedical Sciences Program	325,000

The appropriation to the Department of Public Health shall include a transfer to the State Personnel Department of \$102,932.

SOURCE OF FUNDS:

(1) State General Fund	20,474,365	
(2) Cigarette Tax-.01		1,900,000
As provided in Title 40, Chapter 25, Sections 2 and 23, 1975 Code of Alabama.		
(3) Cigarette Tax-.02		2,200,000
As provided in Title 40, Chapter 25, Sections 2 and 23, 1975 Code of Alabama.		
(4) Vital Statistics Fund	1,049,749	
(5) Hospital Licensing Fund	205,700	
(6) Emergency Medical Services Fund		30,000
As provided in Title 22, Chapter 18, Sections 1-7, 1975 Code of Alabama.		
(7) Local Health Departments ...	24,951,684	
(8) Air Pollution Fines		30,000
(9) Nuclear Monitoring Fund ...		20,000
(10) Miscellaneous Funds		2,936,438
(11) Federal Funds		<u>37,526,001</u>

Total Department of Public Health	<u>20,474,365</u>	<u>70,849,572</u>	<u>91,323,937</u>
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In addition to the above appropriation there is hereby appropriated \$215,000 to the Department of Public Health for the Mobile Branch Laboratory and \$38,000 to the State Virology Laboratory in Jefferson County located at the University of Alabama Medical Center and \$55,000 to the Department of Public Health for Phenylketonuria Children Program (PKU) to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

In addition to the above appropriation to the Dept. of Public Health, there is hereby appropriated \$1,000,000 to the Personal Health Improvement Program for maternal and child health care to be conditioned upon the availability of funds in the State General Fund and upon approval of the Governor.

51. Health Planning and Development Agency, State:

(a) Health Planning, Development and Regulation Program	954,270
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The appropriation to State Health Planning and Development Agency shall include a transfer to the State Personnel Department of \$1,384.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	278,741		
(2) Federal, Local and Miscellaneous Funds		<u>675,529</u>	
Total State Health Planning and Development Agency	<u>278,741</u>	<u>675,529</u>	<u>954,270</u>

52. Hearing Aid Dealers, Alabama Board of:

(a) Professional and Occupational Licensing and Regulation Program	23,000
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SOURCE OF FUNDS:

(1) State Board of Health-Hearing Aid Fund	23,000	
As provided in Title 34, Chapter 14, Articles 1 and 2, 1975 Code of Alabama.		
Total Alabama Board of Hearing Aid Dealers	<u>23,000</u>	<u>23,000</u>

53. Highway Department:

(a) Central Administration Program	7,693,436
(b) Division and District Supervision Program	14,686,325

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(c) Operations & Support Services Program	6,050,711
(d) Maintenance Program	65,804,608
(e) Non-Programmatic Expendi- tures	95,157,645

Proposed Spending Plan for the
above (e) includes the following:

Debt Service94,786,663

Equipment—Other than Automo-
tive370,982

(f) Construction—Federal Aid
Program Proposed Spending
Plan for the above (f) includes the
following:

Federal Aid Matching 31,041,000

Non-Participating Work on Fed-
eral Aid Projects1,000,000

Federal Aid182,568,000

(g) Construction-State Program . 4,434,907

(h) Operations-Land and Building 706,800

The appropriation to the Highway
Department shall include a
transfer to the State Personnel
Department of \$183,819.

SOURCE OF FUNDS:

(1) State General Fund—Transfer	75,000
(2) Public Road and Bridge Fund	176,470,432
(3) Federal Aid	232,598,000

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Highway Finance Corporation, a total of \$94,786,663 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.

The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among subsections, (a), (b), (c), (d), (e), (f), (g), (h) of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable: In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) The appropriations made for Debt Service in section (e) hereof shall be paid in full—

(2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purpose referred to in Sections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Sections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in section (f) hereof, for the matching Federal funds, shall revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available. Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, Lieutenant Governor, and each member of Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

Total Highway Department	75,000	409,068,432	409,143,432
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54. Highway and Traffic Safety,
Office of:

(a) Traffic Control and Accident Prevention Program			2,349,828
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The appropriation to the Office of Highway and Traffic Safety shall include a transfer to the State Personnel Department of \$532.

SOURCE OF FUNDS:

(1) State General Fund—Transfer	64,524		
(2) Federal Funds		2,285,304	
Total Office of Highway and Traffic Safety	64,524	2,285,304	2,349,828

55. Historic Chattahoochee Commission:

(a) Historical Resources Management Program			119,305
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	70,505		
(2) Federal, Local and Miscellaneous Funds		48,800	
Total Historic Chattahoochee Commission	70,505	48,800	119,305

56. Historical Commission, Alabama:

(a) Historical Resources Management Program			1,491,226
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The appropriations to the Alabama Historical Commission shall include a transfer to the State Personnel Department of \$1,704.

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SOURCE OF FUNDS:

(1) State General Fund—Transfer	436,330		
(2) Federal, Local and Miscellaneous Funds		<u>1,054,896</u>	
Total Alabama Historical Commission	<u>436,330</u>	<u>1,054,896</u>	<u>1,491,226</u>

57. Industrial Relations, Department of

(a) Skills Enhancement and Employment Opportunities Program			16,015,336
(b) Unemployment Compensation Program			26,531,551
(c) Administrative Services Program			7,431,843
(d) Industrial Safety and Accident Prevention Program			5,581,836

The appropriation to the Department of Industrial Relations shall include a transfer to the State Personnel Department of \$105,328.

SOURCE OF FUNDS:

(1) State General Fund	877,523		
(2) Federal, Local and Miscellaneous Funds		<u>54,683,043</u>	
Total Department of Industrial Relations	<u>877,523</u>	<u>54,683,043</u>	<u>55,560,566</u>

58. Insurance Board, State Employees':

(a) Administrative Support Services Program			85,012
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SOURCE OF FUNDS:

(1) State General Fund	<u>85,012</u>		
Total State Employees' Insurance Board	<u>85,012</u>		<u>85,012</u>

59. Insurance, Department of:

(a) Regulatory Services Program			2,439,896
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The appropriation to the Department of Insurance shall include a transfer to the State Personnel Department of\$3,088.

SOURCE OF FUNDS:

(1) State General Fund	1,259,670		
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(2) Examination Revolving Fund as provided in Title 27, Chapter 2, Section 25, 1975 Code of Ala- bama			970,300
(3) Fire Marshals' Fund			209,926
As provided in Title 24, Chapter 5, Article 1, 1975 Code of Alabama. Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State Gen- eral Fund.			
Total Department of Insurance ..	<u>1,259,670</u>	<u>1,180,226</u>	<u>2,439,896</u>
60. Labor, Department of:			
(a) Regulatory Services Program			330,148
SOURCE OF FUNDS:			
(1) State General Fund	295,148		
(2) Federal, Local and Miscellane- ous Funds		<u>35,000</u>	
Total Department of Labor	<u>295,148</u>	<u>35,000</u>	<u>330,148</u>
61. LaGrange Historical Site— Alabama Historical Commis- sion:			
(a) Historical Resources Manage- ment Program			6,126
SOURCE OF FUNDS:			
(1) State General Fund	2,076		
As provided in Title 41, Chapter 9, Section 270, 1975 Code of Ala- bama.			
(2) Federal and Local Funds		<u>4,050</u>	
Total Alabama Historical Commission—LaGrange Histor- ical Site	<u>2,076</u>	<u>4,050</u>	<u>6,126</u>
62. Landscape Architects, Board of Examiners of:			
(a) Professional and Occupational Licensing and Regulation Pro- gram			7,675
SOURCE OF FUNDS:			
(1) Landscape Architects Fund ..		7,675	
As provided in Title 34, Chapter 17, 1975 Code of Alabama.			
Total Board of Examiners of Land- scape Architects		<u>7,675</u>	<u>7,675</u>

63. Law Enforcement Planning
Agency, Alabama:

(a) Law Enforcement Planning and Development Program	3,445,990
(b) Glory House For Boys	40,000

The appropriation to the Alabama
Law Enforcement Planning
Agency shall include a transfer
to the State Personnel Depart-
ment of \$958.

SOURCE OF FUNDS:

(1) State General Fund—Transfer for Matching Federal Funds . . .	282,145		
(2) Federal, Local and Miscellane- ous Funds		<u>3,203,845</u>	
Total Alabama Law Enforcement Planning Agency	<u>282,145</u>	<u>3,203,845</u>	<u>3,485,990</u>

64. Liquefied Petroleum Gas
Board:

(a) Regulatory Services Program	201,900
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The appropriation to the Liquefied
Petroleum Gas Board shall in-
clude a transfer to the State Per-
sonnel Department of \$266.

SOURCE OF FUNDS:

(1) Liquefied Petroleum Gas Board Fund	201,900		
Total Liquefied Petroleum Gas Board		<u>201,900</u>	<u>201,900</u>

65. Medicaid Agency, Alabama:

(a) Medical Assistance through Medicaid Program	391,720,625
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The appropriation to the Alabama
Medicaid Agency shall include a
transfer to the State Personnel
Department of \$11,182.

SOURCE OF FUNDS:

(1) State General Fund—Transfer	88,600,000		
(2) Transfer—Pensions & Secu- rity		1,064,400	
(3) Transfer from Mental Health		30,851,625	
(4) Federal, Local and Miscellane- ous Funds		<u>271,204,600</u>	
Total Alabama Medicaid Agency	<u>88,600,000</u>	<u>303,120,625</u>	<u>391,720,625</u>

In addition to the above appropriation there is hereby appropriated \$4,400,000 to the Alabama Medicaid Agency to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

66. Mental Health, Department of:

(a) Institutional Treatment and Care—Mental Illness Program	71,452,865
(b) Institutional Treatment and Care—Mental Retardation Program	57,942,594
(c) Institutional Treatment and Care—Criminally Insane Program	3,390,349
(d) Non-Institutional Treatment and Care Program	33,801,263

(Of this amount, \$14,477,283 shall be used for Community Programs. Of this \$14,477,283, \$100,000 shall be appropriated to the River Bend Mental Health Center for Alcohol Treatment for capital outlay.)

(e) Administrative Services Program	3,782,197
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The appropriation to the Department of Mental Health shall include a transfer to the State Personnel Department of \$256,665.

SOURCE OF FUNDS:

(1) Special Mental Health Trust Fund	97,118,850
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For Operations and Maintenance of the State Mental Health Department including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at Alabama State Hospitals.

(2) Special Mental Health Trust Fund—Community Program ..	14,477,283
(3) Transfer from ABC Profits ..	1,000,000
(4) Cigarette Tax—\$.01	930,000
(5) Cigarette Tax—\$.02	4,825,000
(6) Federal, Local and Miscellaneous Funds	<u>52,018,135</u>
Total Department of Mental Health	<u>170,369,268</u> <u>170,369,268</u>

In addition to the above appropriation there is hereby appropriated \$14,787,525 to the Department of Mental Health to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

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In addition to the above appropriations, there is hereby appropriated \$5,659,265 to the Department of Mental Health to be conditional on the availability of funds enumerated in the Sources of Funds numbered one (1) through five (5) above on the lines twelve (12) through twenty-six (26) and upon the approval of the Governor.

It is the intent of the Legislature that the Governor shall not release more than a total of \$14,787,525 in conditional appropriations to the Department of Mental Health from any source.

67. Military Department:

(a) Military Operations Program	4,791,032
(b) Capital Outlay	902,997

SOURCE OF FUNDS:

(1) State General Fund— Operations	1,404,532	
(2) State General Fund— Quarterly Allowances Head- quarters—Regular Allowance Units to be used solely for operat- ing expenses; provided, that no more than \$4,500 shall be allot- ted in any fiscal year for the Ala- bama National Guard Head- quarters	1,031,000	
(3) State General Fund—Trans- fer—Capital Outlay for Architect and Engineering Services and specifications and construction of facilities	902,997	
(4) State General Fund—Active Military Service	130,628	
(5) State General Fund—Transfer to Armory Commission	2,214,872	
(6) State General Fund—Dropping Allowance	10,000	
Total Military Department	<u>5,694,029</u>	<u>5,694,029</u>

68. Armory Commission of Ala-
bama:

(a) Military Operations Program	3,334,548
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SOURCE OF FUNDS:

(1) Transfer from Military De- partment	2,214,872
(2) Federal, Local and Miscellane- ous Funds	1,119,676

The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory

Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.

Total Armory Commission of Alabama	3,334,548	3,334,548
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69. Nursing Home Administrators, Board of Examiners of:

(a) Professional and Occupational Licensing and Regulation Program		31,000
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SOURCE OF FUNDS:

(1) Board of Examiners of Nursing Home Administrators Fund ...	31,000	
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As provided in Title 34, Chapter 20, 1975 Code of Alabama.

Total Board of Examiners of Nursing Home Administrators	31,000	31,000
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70. Oil and Gas Board:

(a) Management and Regulation of Oil and Gas Exploration and Development Program		1,330,934
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SOURCE OF FUNDS:

(1) State General Fund	1,330,934	
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Total Oil and Gas Board	1,330,934	1,330,934
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71. Pardons and Parole, Board of:

(a) Administration of Pardons and Paroles Program		7,751,740
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The appropriation to the Board of Pardons and Parole shall include a transfer to the State Personnel Department of \$10,171.

SOURCE OF FUNDS:

(1) State General Fund	6,383,913	
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(2) Probationers Upkeep Fund ..	1,263,488	
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(3) Federal, Local and Miscellaneous Funds	104,339	
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Total Board of Pardons and Parole.	6,383,913	1,367,827	7,751,740
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72. Peace Officers' Annuity and Benefit Fund, Alabama:

(a) Retirement Systems Program	188,800	
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SOURCE OF FUNDS:

(1) Peace Officers' Annuity and Benefit Fund as provided in Title 36, Chapter 21, Article 4, 1975 Code of Alabama	188,800	
Total Alabama Peace Officers' Annuity and Benefit Fund	188,800	188,800
73. Pensions and Security:		
(a) Economic Assistance Program		154,452,009
(b) Social Services Program		83,007,087

Of the above appropriation, foster parents shall receive monthly payments for the care of children at the following rates based on the ages of the children: 0-2 years, \$153; 3-5 years, \$162; 6-12 years, \$171; and 13 years and over, \$180. Of the above appropriation, at least \$10,000,000 shall be dedicated to the foster care program. The appropriation to Pensions and Security shall include a transfer to the State Personnel Department of \$217,952.

SOURCE OF FUNDS:

(1) State General Fund—Transfer	2,419,336		
(2) Federal, Local and Miscellaneous Funds	162,356,334		
(3) ABC Profits	1,931,457		
(4) Whiskey Tax	19,560,705		
(5) Beer Tax	7,597,000		
(6) Pension Residue	8,990,000		
(7) Sales Tax	1,322,000		
(8) Franchise Tax	9,720,000		
(9) Contracts, Service Fees	200,000		
(10) Child Support Collections ..	1,900,000		
(11) Sales Tax for Food Stamps ..	14,000,000		
(12) Cigarette Tax	4,200,000		
(13) Contractor's Gross Receipts Tax	3,260,164		
(14) Pension Fund	2,100		
Total Pensions and Security	2,419,336	235,039,760	237,459,096

In addition to the above appropriation, there is hereby appropriated \$6,314,000 to the Department of Pensions and Security to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

In addition to the above appropriations, there is hereby appropriated \$6,314,000 to the Department of Pensions and Security to be conditional upon the availability of funds enumerated in the Sources of Funds numbered three (3) through fourteen (14) above on lines six (6) through seventeen (17) and upon the approval of the Governor.

It is the intent of the Legislature that the Governor shall not release more than a total of \$6,314,000 in conditional appropriations to the Department of Pensions and Security from any source.

In the event of the passage of Senate Bill 24 or its companion House Bill 67 of the 1982 Regular Session, the Governor is authorized to release sufficient funds from the above conditional appropriations to provide child restraints to foster parents.

74. Personnel Department, State:

(a) Administrative Support Program	1,466,333
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	131,847
(2) Transfer from Department of Aeronautics	266
(3) Transfer from Commission on Aging	852
(4) Transfer from Agriculture and Industries	22,897
(5) Transfer from Agricultural Center Board	692
(6) Transfer from Alcoholic Beverage Control Board	61,344
(7) Transfer from Board of Registration of Architects	106
(8) Transfer from the State Arts Council	532
(9) Transfer from State Banking Department	2,449
(10) Transfer from Finance-Alabama Building Authority ..	1,917
(11) Transfer from Finance-Alabama Building Finance Authority	1,651
(12) Transfer from Building Commission	373
(13) Transfer from Civil Defense Department	1,438
(14) Transfer from Coastal Area Board	373
(15) Transfer from Conservation Department	29,926
(16) Transfer from State Licensing Board for General Contractors .	319
(17) Transfer from Board of Corrections	68,053
(18) Transfer from Board of Cosmetology	479
(19) Transfer from Criminal Justice Information Center	2,662

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(20) Transfer from Alabama Dairy Commission	532
(21) Transfer from Alabama Development Office	1,757
(22) Transfer from State Docks ..	31,577
(23) Transfer from Education ...	72,952
(24) Transfer from Department of Energy	1,438
(25) Transfer from Board of Registration for Professional Engineers and Land Surveyors ...	266
(26) Transfer from Firefighters Personnel Standards and Education Commission	213
(27) Transfer from Department of Forensic Sciences	4,260
(28) Transfer from Forestry Commission	24,495
(29) Transfer from Geological Survey	3,940
(30) Transfer from Health Department	102,932
(31) Transfer from State Health Planning and Development Agency	1,384
(32) Transfer from Highway Department	183,819
(33) Transfer from Highway and Traffic Safety	532
(34) Transfer from Alabama Historical Commission	1,704
(35) Transfer from Industrial Relations	105,328
(36) Transfer from Insurance Department	3,088
(37) Transfer from Law Enforcement Planning Agency	958
(38) Transfer from Legislative Reference Service	1,118
(39) Transfer from Liquefied Petroleum Gas Board	266
(40) Transfer from Alabama Medicaid Agency	11,182
(41) Transfer from Department of Mental Health	256,665
(42) Transfer from Board of Nursing	639

(43) Transfer from Pardons and Parole Board	10,171		
(44) Transfer from Peace Officers Standards and Training Commission	160		
(45) Transfer from Pensions and Security	217,952		
(46) Transfer from Physical Fitness Commission	213		
(47) Transfer from Board of Physical Therapy	53		
(48) Transfer from Office of State Planning & Federal Program ..	3,088		
(49) Transfer from Public Library Service	3,088		
(50) Transfer from Public Service Commission	5,804		
(51) Transfer from Publicity and Information	3,195		
(52) Transfer from Alabama Public Television Network	4,260		
(53) Transfer from Real Estate Commission	852		
(54) Transfer from Retirement Systems	4,526		
(55) Transfer from Department of Revenue	53,303		
(56) Transfer from Board of Social Work Examiners	53		
(57) Transfer from Surface Mining Reclamation Commission	2,183		
(58) Transfer from Department of Youth Services	18,211		
Total State Personnel Department	<u>131,847</u>	<u>1,334,486</u>	<u>1,466,333</u>

75. Physical Therapy, Board of:

(a) Professional and Occupational Licensing and Regulation Program	29,453
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The appropriation to the Board of Physical Therapy shall include a transfer to the State Personnel Department of \$53.

SOURCE OF FUNDS:

(1) Physical Therapist Fund	29,453
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As provided in Title 34, Chapter 24, Article 5, 1975 Code of Alabama.

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Total Board of Physical Therapy .	29,453	29,453
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76. Planning and Federal Programs, Office of State:

(a) State Planning Program		37,017,286
(b) State Planning Program— Special Projects		500,000
(c) Special Services Program		5,500,000
(d) Regional Planning Commission Program		332,750

The appropriation to the Office of State Planning and Federal Programs shall include a transfer to the State Personnel Department of \$3,088.

SOURCE OF FUNDS:

(1) State General Fund—Transfer	2,876,736	
(2) Federal, Local and Miscellaneous Funds		40,473,300
Total Office of State Planning and Federal Programs	2,876,736	40,473,300
		43,350,036

77. Polygraph Examiners, Board of:

(a) Professional and Occupational Licensing and Regulation Program		14,000
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SOURCE OF FUNDS:

(1) Board of Polygraph Examiners Fund	14,000	
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As provided in Title 34, Chapter 25, 1975 Code of Alabama as amended by Act No. 81-222.

Total Board of Polygraph Examiners	14,000	14,000
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78. Prosecution Services, Office of:

(a) Prosecution, Training, Education and Management Program		471,570
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SOURCE OF FUNDS:

(1) Office of Prosecution Services Fund	471,570	
Total Office of Prosecution Services	471,570	471,570

79. Psychology, Alabama Board of Examiners in:

(a) Professional and Occupational Licensing and Regulation Pro- gram	22,700
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SOURCE OF FUNDS:

(1) Board of Examiners of Psychol- ogy Fund	22,700	
As provided in Title 34, Chapter 26, 1975 Code of Alabama.		
Total Alabama Board of Examiners in Psychology	<u>22,700</u>	<u>22,700</u>

80. Public Safety, Department of:

(a) Traffic Control and Accident Prevention Program	18,395,351
(b) Criminal Investigation Pro- gram	3,812,287
(c) Driver's Licensing and Im- provement Program	7,432,690
(d) Public Safety Support Services Program	7,762,125
(e) Administrative Services Pro- gram	1,986,248
(f) Alabama Criminal Justice Training Center Program	1,632,640
(g) Capital Outlay	520,265

SOURCE OF FUNDS:

(1) State General Fund	<u>41,541,606</u>	
Total Department of Public Safety	<u>41,541,606</u>	<u>41,541,606</u>

81. Public Service Commission:

(a) Administrative Services Pro- gram	820,000
(b) Regulatory Program	3,868,550

The appropriation to the Public
Service Commission shall in-
clude a transfer to the State Per-
sonnel Department of \$5,804.

SOURCE OF FUNDS:

(1) Public Service Commission Fund	4,688,550
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The above appropriations to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$800,000 shall be transferred to the State General Fund.

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Total Public Service Commission	4,688,550	2,688,500
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82. Publicity and Information,
Bureau of:

(a) Tourism and Travel Promotion Program		2,256,000
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The appropriation to the Bureau of
Publicity and Information shall
include a transfer to the State
Personnel Department of \$3,195.

SOURCE OF FUNDS:

(1) State General Fund—Transfer	506,000	
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Of this amount, \$6,000 is ear-
marked for the purpose of pur-
chasing state flags to be distri-
buted by the members of the
legislature.

(2) Lodgings Tax (\$.01)	1,750,000	
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Receipts collected under the provi-
sions of Title 40, Chapter 26,
1975 Code of Alabama.

Total Bureau of Publicity and In- formation	506,000	1,750,000	2,256,000
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83. Real Estate Commission, Ala-
bama:

(a) Professional and Occupational Licensing and Regulation Pro- gram		627,617
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The appropriation to the Alabama
Real Estate Commission shall
include a transfer to the State
Personnel Department of \$852.

SOURCE OF FUNDS:

(1) Alabama Real Estate Commis- sion Fund—as provided in Title 34, Chapter 27, 1975 Code of Alabama, as amended and the total expenditures shall in no manner exceed the amounts hereby appropriated	627,617	
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Total Alabama Real Estate Com- mission	627,617	627,617
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84. Revenue Department:

(a) State Revenue Administration Program		29,750,000
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The appropriation to the Revenue
Department shall include a
transfer to the State Personnel
Department of \$53,303.

SOURCE OF FUNDS:

(1) State General Fund—Transfer As provided in Title 40, Chapter 7, Article 2, Division 1, 1975 Code of Alabama, to maintain a program for the equalization of ad valorem tax assessments . . .	250,000
(2) Transfer from the gross pro- ceeds of Cigarette Tax Collec- tions, Title 40, Chapter 25, Sec- tion 2 and 23, 1975 Code of Ala- bama	398,242
(3) Transfer from the gross pro- ceeds of Financial Institution Excise Tax Collections	310,041
(4) Transfer from the gross pro- ceeds of the Forest Severance Tax Collections	208,476
(5) Transfer from the gross pro- ceeds of Gasoline Tax Collections	2,068,723
(6) Transfer from the Income Tax Collections	6,906,435
(7) Transfer from the gross pro- ceeds of Motor Fuel Tax Collec- tions	1,194,727
(8) Transfer from the gross pro- ceeds of Motor Vehicle License Collections	1,208,092
(9) Transfer from the Pension Fund as part of the cost of collec- tions of the 1-Mill Ad Valorem Tax	368,843
(10) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Val- orem Tax	911,414
(11) Transfer from the gross pro- ceeds of Sales Tax Collections .	9,627,313
(12) Transfer from the gross pro- ceeds of the Tobacco Tax Collec- tions	1,969,831
(13) Transfer from the gross pro- ceeds of Use Tax Collections. . .	940,815
(14) Transfer from the gross pro- ceeds of the Utility Tax Collections—as provided in Title 40, Chapter 21, 1975 Code of Alabama	614,737
(15) Local Funds	2,772,311

The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law.

Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

Total Revenue Department	<u>250,000</u>	<u>29,500,000</u>	<u>29,750,000</u>
85. Revenue-Auto Title and Anti-theft:			
(a) State Revenue Administration Program			1,064,077
SOURCE OF FUNDS:			
(1) State General Fund—Transfer	<u>1,064,077</u>		
Total Revenue—Auto Title and Antitheft	<u>1,064,077</u>		<u>1,064,077</u>
86. Revenue—Boards of Equalization:			
(a) State Revenue Administration Program			136,800
SOURCE OF FUNDS:			
(1) State General Fund	<u>136,800</u>		
Total Revenue—Boards of Equalization	<u>136,800</u>		<u>136,800</u>
87. Revenue—Motor Vehicle License:			
(a) State Revenue Administration Program			2,145,200
SOURCE OF FUNDS:			
(1) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags		<u>2,145,200</u>	
Total Revenue-Motor Vehicle License		<u>2,145,200</u>	<u>2,145,200</u>

88. Richmond P. Hobson Memorial
Board—Alabama Historical
Commission:(a) Historical Resources Manage-
ment Program 107,052

SOURCE OF FUNDS:

(1) State General Fund—as pro-
vided in Title 41, Chapter 9, Sec-
tion 221, 1975 Code of Alabama,
and an additional amount 7,052(2) Federal, Local and Miscellane-
ous Funds 100,000Total Alabama Historical
Commission—Richmond P. Hob-
son Memorial Board 7,052 100,000 107,052

89. Secretary of State:

(a) Administrative Support Ser-
vices Program 634,673

SOURCE OF FUNDS:

(1) State General Fund 634,673

Total Secretary of State 634,673 634,673

90. Securities Commission:

(a) Regulatory Services Program 715,192

SOURCE OF FUNDS:

(1) State General Fund 482,298

(2) Industrial Development Bond
Notification Fund 139,602

(3) Sales of Checks License Fund 8,000

(4) Exemption Fund 85,292

Total Securities Commission 482,298 232,894 715,192

91. Social Work Examiners, Ala-
bama State Board of:(a) Professional and Occupational
Licensing and Regulation Pro-
gram 45,667The appropriation to the Alabama
State Board of Social Work
Examiners shall include a trans-
fer to the State Personnel De-
partment of \$53.

SOURCE OF FUNDS:

(1) Alabama State Board of Social
Work Examiners Fund—as pro-
vided in Title 34, Chapter 30,
1975, Code of Alabama 45,667

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Total Alabama State Board of Social Work Examiners	45,667	45,667
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92. Soil and Water Conservation Committee Alabama State:

(a) Water Resource Development Program		698,807
(b) Catfish Farming and Disease Control Methods		200,000

SOURCE OF FUNDS:

(1) State General Fund	888,807		
(2) Federal, Local and Miscellaneous Funds		10,000	
Total Alabama State Soil and Water Conservation Committee	888,807	10,000	898,807

In addition to the above appropriation to the Soil and Water Conservation Committee there is hereby appropriated the amount of \$390,000 to accelerate the development of the fish farming industry in Alabama to be conditional upon the availability of funds in the State General Fund and upon approval of the Governor.

93. Southern Growth Policies Board:

(a) Special Services Program		25,300
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SOURCE OF FUNDS:

(1) State General Fund	25,300		
Total Southern Growth Policies Board	25,300		25,300

94. Space Science Exhibit Commission, Alabama:

(a) Tourism and Travel Promotion Program		356,000
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SOURCE OF FUNDS:

(1) State General Fund Capital Outlay	356,000		
Total Alabama Space Science Exhibit Commission	356,000		356,000

95. Speech Pathology and Audiology, Alabama Board of Examiners for:

(a) Professional and Occupational Licensing and Regulation Pro- gram	16,000
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners for Speech Pathology and Au- diology Fund—as provided in Title 34, Chapter 28A, 1975 Code of Alabama	<u>16,000</u>	
Total Alabama Board of Examiners for Speech Pathology and Au- diology	<u>16,000</u>	<u>16,000</u>

96. Surface Mining Reclamation
Commission:

(a) Industrial Safety and Accident Prevention Program	2,816,283
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The appropriation to the Surface
Mining Reclamation Commis-
sion shall include a transfer to
the State Personnel Department
of \$2,183.

SOURCE OF FUNDS:

(1) Surface Mining Reclamation Commission Fund—as provided by Title 9, Chapter 16, Article 2, 1975 Code of Alabama. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the appropriation herein made, are appropriated to the Surface Mining Reclamation Commission	<u>2,816,283</u>	
Total Surface Mining Reclamation Commission	<u>2,816,283</u>	<u>2,816,283</u>

97. Tannehill Historical State
Park:

(a) Historical Resources Manage- ment Program	597,700
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SOURCE OF FUNDS:

(1) State General Fund	250,000	
(2) Federal, Local and Miscellane- ous Funds	<u>347,700</u>	
Total Tannehill Historical State Park	<u>250,000</u>	<u>347,700</u>
		<u>597,700</u>

98. Tennessee-Tombigbee Water-
way Development Authority:

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(a) Water Resource Development Program	476,339
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SOURCE OF FUNDS:

(1) State General Fund	165,000
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As provided in Title 33, Chapter 8,
1975 Code of Alabama as
amended.

(2) Federal, Local and Miscellaneous Funds	311,339
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Total Tennessee-Tombigbee Waterway Development Authority	165,000	311,339	476,339
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99. Treasurer, State:

(a) Fiscal Management Program	1,214,002
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SOURCE OF FUNDS:

(1) State General Fund	1,214,002
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Total State Treasurer	1,214,002	1,214,002
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In addition to the above appropriation to the State Treasurer, there is hereby appropriated \$200,000 to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

100. Uniform State Laws, Commission on:

(a) Special Services Program	4,147
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SOURCE OF FUNDS:

(1) State General Fund	4,147
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As provided in Title 41, Chapter 9,
Article 12, 1975 Code of Alabama.

Total Commission on Uniform State Laws	4,147	4,147
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101. Veterans Affairs, Department of:

(a) Administration of Veterans Affairs Program	2,640,610
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SOURCE OF FUNDS:

(1) State General Fund	2,640,610
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Total Department of Veterans Affairs	2,640,610	2,640,610
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102. Veterinary Medical Examiners, Alabama State Board of:

(a) Professional and Occupational Licensing and Regulation Program	30,000
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SOURCE OF FUNDS:

(1) State Board of Veterinary Medical Examiners Fund—	30,000	
As provided in Title 34, Chapter 29, 1975 Code of Alabama.		
Total Alabama State Board of Veterinary Medical Examiners . . .	<u>30,000</u>	<u>30,000</u>

103. Water and Waste Water Systems Personnel, Board of Certification for:

(a) Professional and Occupational Licensing and Regulation Program		15,954
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SOURCE OF FUNDS:

(1) Operators and Certification Fund	15,954	
As provided in Title 22, Chapter 25, 1975 Code of Alabama.		
Total Board of Certification for Water & Waste Water Systems Personnel	<u>15,954</u>	<u>15,954</u>

104. Water Well Standards Board, Alabama:

(a) Professional and Occupational Licensing and Regulation Program		41,000
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SOURCE OF FUNDS:

(1) Well Digger's Licensing Fund	41,000	
As provided in Title 22, Chapter 24, 1975 Code of Alabama.		
Total Alabama Water Well Standards Board	<u>41,000</u>	<u>41,000</u>

105. Women's Commission, Alabama:

(a) Employment and Social Opportunities Program		9,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>9,000</u>	
Total Alabama Women's Commission	9,000	9,000

106. Women's Hall of Fame, Alabama:

(a) Historical Resources Management Program		12,000
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SOURCE OF FUNDS:

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(1) State General Fund	12,000	
Total Alabama Women's Hall of Fame	12,000	12,000

107. State Department of Education:

(a) Library Instructional Materials	2,494,131
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To be distributed to all public elementary and secondary schools and all two-year post-secondary institutions under jurisdiction of the State Board of Education by an equal amount per student enrolled.

SOURCE OF FUNDS:

(1) State General Fund	2,494,131	
Total State Dept of Education ...	2,494,131	2,494,131

108. Department of Youth Services:

(a) Youth Services Program	13,239,813
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The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$18,211.

SOURCE OF FUNDS:

(1) State General Fund	12,159,265		
(2) Federal and Local Funds		1,080,548	
Total Department of Youth Services	12,159,265	1,080,548	13,239,813

(To be expended in accordance with Act No. 816, 1973 Regular Session.) The above appropriation to the Department of Youth Services is to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

109. Library Service, Alabama Public:

(a) Public Library Service Program	270,000
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SOURCE OF FUNDS:

(1) State General Fund	270,000	
Total Alabama Public Library Service	270,000	270,000

110. Fort Toulouse-Alabama Historical Commission:

(a) Historical Resources Management Program	25,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>25,000</u>
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Total Alabama Historical Commission-Fort Toulouse	<u>25,000</u>	<u>25,000</u>
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111. Department of Finance-Telephone Revolving Fund:

There is hereby appropriated \$1,500,000 to the Telephone Revolving Fund to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE GENERAL FUND:

1. Advertising Lands for Tax Sale:

(a) State Revenue Administration Program, Estimated	70,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>70,000</u>
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Total Advertising Lands for Tax Sale	<u>70,000</u>	<u>70,000</u>
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2. Arrest of Absconding Felons:

(a) Criminal Investigation Program Estimated	30,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>30,000</u>
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Total Arrest of Absconding Felons	<u>30,000</u>	<u>30,000</u>
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3. Automatic Appeal Expense:

(a) Legal Advice and Legal Service Program, Estimated	500
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SOURCE OF FUNDS:

(1) State General Fund	500
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As provided in Title 12, Chapter 22, Sections 150 and 241, 1975 Code of Alabama	
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Total Automatic Appeal Expense	<u>500</u>	<u>500</u>
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4. Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham:

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(a) Support of State Universities Program	100,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>100,000</u>
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Total Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham	<u>100,000</u>	<u>100,000</u>
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In addition to the above appropriation there is hereby appropriated \$2,000,000 to the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham to be conditional upon the availability of funds in the State General Fund, the approval of the Governor and upon the availability of \$2,500,000 in matching funds from the Cystic Fibrosis Foundation. The matching funds are to be paid in increments of \$500,000 annually beginning in fiscal year 1982-83 and continuing through fiscal year 1986-87.

5. Center for Diagnosis and Treatment of Congenital Heart Disease at the University of Alabama in Birmingham:

(a) Support of State Universities Program	100,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>100,000</u>
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Total Center for Diagnosis and Treatment of Congenital Heart Disease at the University of Alabama in Birmingham	<u>100,000</u>	<u>100,000</u>
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6. Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals:

(a) State Revenue Administration Program Estimated	200
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SOURCE OF FUNDS:

(1) State General Fund	<u>200</u>
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Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	<u>200</u>	<u>200</u>
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7. Consumer Utility Rate Hearing:

(a) Executive Direction Program	250,000
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SOURCE OF FUNDS:

(1) State General Fund	250,000
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As provided in Title 37, Chapter 1, Article 1, 1975 Code of Alabama.

Total Consumer Utility Rate Hearing	<u>250,000</u>	<u>250,000</u>
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8. Court Costs—Act No. 558, 1957:

(a) Court Operations Program, Estimated		8,000
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SOURCE OF FUNDS:

(1) State General Fund	8,000	
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Pursuant to Act No. 558, 1957, page 777.

Total Court Costs—Act No. 558, 1957	<u>8,000</u>	<u>8,000</u>
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9. Court Cost Not Otherwise Provided For:

(a) Legal Advice and Legal Service Program, Estimated		1,020,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,020,000</u>	
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Total Court Cost Not Otherwise Provided For	<u>1,020,000</u>	<u>1,020,000</u>
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10. Distribution of Public Documents:

(a) Administrative Support Service Program, Estimated		37,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>37,000</u>	
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Total Distribution of Public Documents	<u>37,000</u>	<u>37,000</u>
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11. Election Expenses:

(a) Special Services Program, Estimated		1,410,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,410,000</u>	
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Total Election Expenses	<u>1,410,000</u>	<u>1,410,000</u>
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12. Emergency Fund, Departmental:

(a) Special Services Program		450,000
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SOURCE OF FUNDS:

(1) State General Fund	450,000	
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(This is the appropriation contemplated in Title 41, Chapter 4, Section 94, 1975 Code of Alabama, and shall be the only amount appropriated and the total amount expended under the provisions of said section.)

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Total Departmental Emergency Fund	450,000	450,000
13. Fair Trial Tax Transfer:		
(a) Court Operations Program, Estimated		350,000
SOURCE OF FUNDS:		
(1) State General Fund	350,000	
Total Fair Trial Tax Transfer ...	350,000	350,000
14. Feeding of Prisoners:		
(a) Institutional Services-Corrections Program, Estimated ..		2,000,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000,000	
For expenses of feeding prisoners in county jails		
Total Feeding of Prisoners	2,000,000	2,000,000
15. Forest Fire Fund, Emergency:		
(a) Forest Resource Protection Prog		180,000
SOURCE OF FUNDS:		
(1) State General Fund Transfer—Act 79-830	180,000	
Total Emergency Forest Fire Fund	180,000	180,000
16. Governors' Conference, National:		
(a) Executive Direction Program		58,910
SOURCE OF FUNDS:		
(1) State General Fund	58,910	
Total National Governors' Conference	58,910	58,910
17. Governor's Councillor:		
(a) Executive Direction Program		39,801
SOURCE OF FUNDS:		
(1) State General Fund	39,801	
As provided in Title 36, Chapter 13, Section 13, 1975 Code of Ala.		
Total Governor's Councillor	39,801	39,801
18. Governor's Proclamation Expenses:		
(a) Executive Direction Program, Estimated		150,000

SOURCE OF FUNDS:

(1) State General Fund	<u>150,000</u>	
Total Governor's Proclamation Ex- penses	<u>150,000</u>	<u>150,000</u>

19. Governor's Widows Retirement:

(a) Executive Direction Program		14,400
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SOURCE OF FUNDS:

(1) State General Fund	<u>14,400</u>	
Total Governor's Widows Retirement	<u>14,400</u>	<u>14,400</u>

20. Interpreter's Account:

(a) Court Support Services Program, Estimated		2,000
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SOURCE OF FUNDS:

(1) State General Fund	2,000	
As provided in Title 12, Chapter 21, Sections 131-134, 1975 Code of Alabama.		
Total Interpreter's Account	<u>2,000</u>	<u>2,000</u>

21. Law Enforcement Fund:

(a) Criminal Investigation Program		8,730
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	<u>8,730</u>	
Total Law Enforcement Fund ...	<u>8,730</u>	<u>8,730</u>

22. Law Enforcement Legal Defense:

(a) Legal Advice and Legal Services Program		3,600
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SOURCE OF FUNDS:

(1) State General Fund	3,600	
To carry our provisions of Act No. 259, 1957 Regular Session.		
Total Law Enforcement Legal Defense	<u>3,600</u>	<u>3,600</u>

23. Mailing Tax Notices:

(a) State Revenue Administration Program, Estimated		200
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SOURCE OF FUNDS:

(1) State General Fund	<u>200</u>	
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Total Mailing Tax Notices	200	200
24. Matching Federal Funds Not Otherwise Provided For:		
(a) Special Services Program		45,000
SOURCE OF FUNDS:		
(1) State General Fund	45,000	
Total Matching Federal Funds Not Otherwise Provided For	45,000	45,000
25. Mental Health Trust Fund, Alabama Special:		39,378,990
SOURCE OF FUNDS:		
(1) State General Fund—Transfer	39,378,990	
Total Alabama Special Mental Health Trust Fund	39,378,990	39,378,990
26. Presidential Electoral Ex- pense:		
(a) Administration of Public Doc- uments Program, Estimated ...		1,000
SOURCE OF FUNDS:		
(1) State General Fund	1,000	
Total Presidential Electoral Ex- pense	1,000	1,000
27. Printing of Code Supplement:		
(a) Administration of Public Doc- uments Program, Estimated ...		200,000
SOURCE OF FUNDS:		
(1) State General Fund	200,000	
Total Printing of Code Supplement	200,000	200,000
28. Printing of Legislative Act and Journals:		
(a) Administrative Support Ser- vices Program, Estimated		390,000
SOURCE OF FUNDS:		
(1) State General Fund	390,000	
Total Printing of Legislative Acts and Journals	390,000	390,000
29. Printing of State and County Privilege Licenses:		
(a) State Revenue Administration Program, Estimated		14,000
SOURCE OF FUNDS:		

(1) State General Fund	14,000	
Total Printing of State and County Privilege Licenses	14,000	14,000
30. Public Defenders:		
(a) Court Operations Program ..		39,761
SOURCE OF FUNDS:		
(1) State General Fund	39,761	
For salaries of Public Defenders for the 21st Judicial Circuit, as provided by Act No. 1158, 1969 Regular Session.		
Total Public Defenders	39,761	39,761
31. Registration of Voters:		
(a) Special Services Program, Estimated		600,000
SOURCE OF FUNDS:		
(1) State General Fund	600,000	
Total Registration of Voters	600,000	600,000
32. Removal of Prisoners:		
(a) Administrative Services and Logistical Support Program, Estimated		187,000
SOURCE OF FUNDS:		
(1) State General Fund	187,000	
Total Removal of Prisoners	187,000	187,000
33. State Treasurer-Previous Year's Unpaid Warrants:		
(a) Special Services Program, Estimated		367,000
SOURCE OF FUNDS:		
(1) State General Fund	367,000	
Total State Treasurer-Previous Year's Unpaid Warrants	367,000	367,000
34. State General Fund, Est.		66,677,328
SOURCE OF FUNDS:		
(1) Heritage Trust Income Fund Transfer, Estimated	66,677,328	
Total State General Fund Estimated	66,677,328	66,677,328
E. FINANCIAL ASSISTANCE TO NON-STATE AGENCIES:		

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1. Amos Alonzo Stagg Bowl:		
(a) Tourism and Travel Promotion Program		3,850
SOURCE OF FUNDS:		
(1) State General Fund	3,850	
Total Amos Alonzo Stagg Bowl ..	3,850	<u>3,850</u>
2. Appalachian Regional Commission:		
(a) Planning Program		195,000
SOURCE OF FUNDS:		
(1) State General Fund	195,000	
Total Appalachian Regional Commission	195,000	<u>195,000</u>
3. Armed Forces Day in Alabama:		
(a) Historical Resources Management Program		1,115
SOURCE OF FUNDS:		
(1) State General Fund	1,115	
Total Armed Forces Day in Alabama	1,115	<u>1,115</u>
4. Army Aviation Museum, Fort Rucker, Al.:		
(a) Historical Resources Management Program		100,000
SOURCE OF FUNDS:		
(1) State General Fund	100,000	
Total Army Aviation Museum, Fort Rucker, AL	100,000	<u>100,000</u>
5. Azalea Trail Festival, Mobile:		
(a) Tourism and Travel Promotion Program		2,075
SOURCE OF FUNDS:		
(1) State General Fund	2,075	
Total Mobile Azalea Trail Festival	2,075	<u>2,075</u>
6. Big Nance Creek Water Management District:		
(a) Water Resource Development Program		1,867
SOURCE OF FUNDS:		
(1) State General Fund	1,867	

Total Big Nance Creek Water Management District	1,867	1,867
7. Birmingham Chamber Music Society:		
(a) Fine Arts Program		2,075
SOURCE OF FUNDS:		
(1) State General Fund	2,075	
Total Birmingham Chamber Music Society	2,075	2,075
8. Birmingham Festival of Arts, Inc.:		
(a) Fine Arts Program		20,307
SOURCE OF FUNDS:		
(1) State General Fund	20,307	
Total Birmingham Festival of Arts	20,307	20,307
9. Blue and Gray Association, Inc.:		
(a) Tourism and Travel Promotion Program		7,469
SOURCE OF FUNDS:		
(1) State General Fund	7,469	
Total Blue and Gray Association Inc.	7,469	7,469
10. Chilton County Peach Festival:		
(a) Tourism and Travel Promotion Program		15,000
SOURCE OF FUNDS:		
(1) State General Fund	15,000	
Total Chilton County Peach Festival	15,000	15,000
11. Choccolocco Creek Watershed Association:		
(a) Water Resource Development Program		2,910
SOURCE OF FUNDS:		
(1) State General Fund	2,910	
Total Choccolocco Creek Watershed Association	2,910	2,910
12. Civil Air Patrol:		
(a) Readiness and Recovery Program		40,000

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SOURCE OF FUNDS:

(1) State General Fund	40,000	
Total Civil Air Patrol	40,000	40,000

13. Coosa-Alabama River Improvement Association:

(a) Water Resource Development Program		10,379
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SOURCE OF FUNDS:

(1) State General Fund	10,379	
Total Coosa-Alabama River Improvement Association	10,379	10,379

14. Coosa River Action Council, Inc.:

(a) Water Resource Development Program		8,294
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SOURCE OF FUNDS:

(1) State General Fund	8,294	
Total Coosa River Action Council Inc.	8,294	8,294

15. Deep Sea Fishing Rodeo, Alabama:

(a) Tourism and Travel Promotion Program		1,246
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SOURCE OF FUNDS:

(1) State General Fund	1,246	
Total Ala. Deep Sea Fishing Rodeo	1,246	1,246

16. Dorse, Mary E., Recreational and Educational Center:

(a) Special Services Program		4,850
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SOURCE OF FUNDS:

(1) State General Fund	4,850	
Total Mary E. Dorse Recreational and Educational Center	4,850	4,850

17. Dynne Creek Watershed Conservancy District:

(a) Water Resource Development Program		1,867
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SOURCE OF FUNDS:

(1) State General Fund	1,867	
Total Dynne Creek Watershed Conservancy District	1,867	1,867

18. Elk River Development
Agency:(a) Water Resource Development
Program 6,208

SOURCE OF FUNDS:

(1) State General Fund 6,208Total Elk River Development
Agency 6,208 6,208

19. Elyton Recovery Center:

(a) Non-Institutional Treatment
and Care Program 150,350

SOURCE OF FUNDS:

(1) State General Fund—Capital
Improvement 150,350Total Elyton Recovery Center ... 150,350 150,35020. Energy Board, Southern
States:(a) Discovery and Development of
Mineral, Energy and Water Re-
sources, Geologic Research and
Topographic Mapping Program 20,536

SOURCE OF FUNDS:

(1) State General Fund 20,536Total Southern States Energy
Board 20,536 20,536

21. Forest Festival, Alabama:

(a) Forest Information and Educa-
tion Program 6,147

SOURCE OF FUNDS:

(1) State General Fund 6,147Total Alabama Forest Festival .. 6,147 6,14722. George Lindsey Celebrity Ben-
efit, Inc.:(1) Tourism and Travel Promotion
Program 8,294

SOURCE OF FUNDS:

(1) State General Fund 8,294Total George Lindsey Celebrity
Benefit, Inc. 8,294 8,29423. Gulf Shores Tourist Associa-
tion:

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(a) Tourism and Travel Promotion Program		11,197
SOURCE OF FUNDS:		
(1) State General Fund	11,197	
Total Gulf Shores Tourist Assoc.	11,197	11,197
24. Guntersville Boat Races:		
(a) Tourism and Travel Promotion Program		12,091
SOURCE OF FUNDS:		
(1) State General Fund	12,091	
Total Guntersville Boat Races ...	12,091	12,091
25. Hank Williams Memorial Association:		
(a) Historical Resources Management Program		4,147
SOURCE OF FUNDS:		
(1) State General Fund	4,147	
Total Hank Williams Memorial Association	4,147	4,147
26. Helen Keller Property Board:		
(a) Historical Resources Management Prog.		35,000
SOURCE OF FUNDS:		
(1) State General Fund	35,000	
Total Helen Keller Property Board	35,000	35,000
27. Interstate Mining Commission:		
(a) Planning Program		9,722
SOURCE OF FUNDS:		
(1) State General Fund	9,722	
Total Interstate Mining Commission	9,722	9,722
28. Junior Miss Pageant, Inc., America's:		
(a) Tourism and Travel Promotion Program		20,000
SOURCE OF FUNDS:		
(1) State General Fund	20,000	
Total America's Junior Miss Pageant, Inc.	20,000	20,000

29. Ketchepedrakee Creek
Watershed Conservancy Dis-
trict:(a) Water Resource Development
Program 1,867

SOURCE OF FUNDS:

(1) State General Fund 1,867

Total Ketchepedrakee Creek
Watershed Conservancy District 1,86730. Lake Eufaula Summer Spec-
tacular:(a) Tourism and Travel Promotion
Program 7,469

SOURCE OF FUNDS:

(1) State General Fund 7,469

Total Lake Eufaula Summer Spec-
tacular 7,469

31. Mobile Carnival Association:

(a) Tourism and Travel Promotion
Program 3,733

SOURCE OF FUNDS:

(1) State General Fund 3,733

Total Mobile Carnival Association 3,733

31A. Mobile Area Mardi Gras As-
sociation:(a) Tourism and Travel Promotion
Prog. 2,900

SOURCE OF FUNDS:

(1) State General Fund 2,900

Total Mobile Area Mardi Gras
Assoc. 2,900

32. Motor Sports Hall of Fame:

(a) Tourism and Travel Promotion
Program 100,000

SOURCE OF FUNDS:

(1) State General Fund 100,000

Total Motor Sports Hall of Fame 100,000

33. Mountain Lakes Tourist Asso-
ciation, Alabama:(a) Tourism and Travel Promotion
Program 19,075

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SOURCE OF FUNDS:

(1) State General Fund	<u>19,075</u>	
Total Mountain Lakes Tourist Association, Alabama	<u>19,075</u>	<u>19,075</u>

34. Pea River Historical and Genealogical Society:

(a) Historical Resources Management Program		4,147
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SOURCE OF FUNDS:

(1) State General Fund	<u>4,147</u>	
Total Pea River Historical and Genealogical Society	<u>4,147</u>	<u>4,147</u>

35. Pea River Watershed Conservancy District:

(a) Water Resource Development Program		1,867
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,867</u>	
Total Pea River Watershed Conservancy District	<u>1,867</u>	<u>1,867</u>

36. Peanut Festival Association, Inc., National:

(a) Tourism and Travel Promotion Program		11,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>11,000</u>	
Total National Peanut Festival Association, Inc.	<u>11,000</u>	<u>11,000</u>

37. Pike County Pioneer Museum Association:

(a) Historical Resources Management Program		4,147
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SOURCE OF FUNDS:

(1) State General Fund	<u>4,147</u>	
Total Pike County Pioneer Museum Association	<u>4,147</u>	<u>4,147</u>

38. Randolph County Truck Crop Recognition Program:

(a) Tourism and Travel Promotion Program		1,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,000</u>	
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Total Randolph County Truck Crop Recognition Program	<u>1,000</u>	<u>1,000</u>
39. Riverboat Commission, Inc., Montgomery:		
(a) Tourism and Travel Promotion Program		18,673
SOURCE OF FUNDS:		
(1) State General Fund	<u>18,673</u>	
Total Montgomery Riverboat Comm.	<u>18,673</u>	<u>18,673</u>
40. Southern Championship Charity Horseshow:		
(a) Tourism and Travel Promotion Program		4,147
SOURCE OF FUNDS:		
(1) State General Fund	<u>4,147</u>	
Total Southern Championship Charity Horseshow	<u>4,147</u>	<u>4,147</u>
41. Spirit of America Festival, Inc.		
(a) Tourism and Travel Promotion Program		3,735
SOURCE OF FUNDS:		
(1) State General Fund	<u>3,735</u>	
Total Spirit of America Festival, Inc.	<u>3,735</u>	<u>3,735</u>
42. Sports Hall of Fame:		
(a) Historical Resources Management Program		27,645
SOURCE OF FUNDS:		
(1) State General Fund	<u>27,645</u>	
Total Sports Hall of Fame	<u>27,645</u>	<u>27,645</u>
43. Steer Show Association, Alabama State:		
(a) Agricultural Development Services Program		15,000
SOURCE OF FUNDS:		
(1) State General Fund	<u>15,000</u>	
Total Alabama State Steer Show Association	<u>15,000</u>	<u>15,000</u>

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44. Tallacoosa Highland Lakes
Association:

(a) Tourism and Travel Promotion
Program 7,469

SOURCE OF FUNDS:

(1) State General Fund 7,469

Total Tallacoosa Highland Lakes
Association 7,469

45. Tallassee hatchie Creek
Watershed Conservancy Dis-
trict:

(a) Water Resource Development
Program 1,649

SOURCE OF FUNDS:

(1) State General Fund 1,649

Total Tallassee hatchie Creek
Watershed Conservancy District 1,649

46. Tennessee River Valley Asso-
ciation:

(a) Water Resource Development
Program 11,611

SOURCE OF FUNDS:

(1) State General Fund 11,611

Total Tennessee River Valley
Assn. 11,611

47. Tennessee Valley Publicity
and Improvement Association:

(a) Tourism and Travel Promotion
Program 33,174

SOURCE OF FUNDS:

(1) State General Fund 33,174

Total Tennessee Valley Publicity
and Improvement Association . 33,174

48. Terrapin Creek Watershed
Conservancy District:

(a) Water Resource Development
Program 1,867

SOURCE OF FUNDS:

(1) State General Fund 1,867

Total Terrapin Creek Watershed
Conservancy District 1,867

49. Travel Council, Alabama:

(a) Tourism and Travel Promotion Program		33,174
SOURCE OF FUNDS:		
(1) State General Fund	33,174	
Total Alabama Travel Council ..	33,174	33,174
50. Tri-Rivers Waterway Development Association:		
(a) Water Resource Development Program		22,392
SOURCE OF FUNDS:		
(1) State General Fund	22,392	
Total Tri-Rivers Waterway Development Association	22,392	22,392
51. Vestavia Hills Dogwood Festival and Trail:		
(a) Tourism and Travel Promotion Program		2,000
SOURCE OF FUNDS:		
(1) State General Fund	2,000	
Total Vestavia Hills Dogwood Festival and Trail	2,000	2,000
52. Veterans Day in Alabama:		
(a) Historical Resources Management Program		1,659
SOURCE OF FUNDS:		
(1) State General Fund	1,659	
Total Veterans Day in Alabama ..	1,659	1,659
53. Veterans Day Committee, National:		
(a) Historical Resources Management Program		5,810
SOURCE OF FUNDS:		
(1) State General Fund	5,810	
Total National Veterans Day Committee	5,810	5,810
54. Y. M. C. A. Youth Legislature:		
(a) Special Services Program		15,000
SOURCE OF FUNDS:		
(1) State General Fund	15,000	
Total Y. M. C. A. Youth Legislature	15,000	15,000

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55. Shelby County Historical Association:

(a) Historical Resources Management Program 5,000

SOURCE OF FUNDS:

(1) State General Fund 5,000

Total Shelby County Historical Association 5,000

56. East Alabama Child Development Program: 1,100,000

SOURCE OF FUNDS:

(1) State General Fund 1,100,000

Total East Alabama Child Development Program 1,100,000

57. Mobile Exploreum-Medical: 25,000

SOURCE OF FUNDS:

(1) State General Fund 25,000

Total Mobile Exploreum 25,000

58. Sickie Cell Education Program:

(a) Jefferson County Sickie Cell 100,000

(b) East Alabama Sickie Cell ... 50,000

(c) Mobile Sickie Cell 60,000

SOURCE OF FUNDS:

(1) State General Fund 210,000

Total Sickie Cell Education Program 210,000

59. Landmarks Foundation, Inc.:

(a) Historical Resources Management Program 7,500

SOURCE OF FUNDS:

(1) State General Fund 7,500

Total Landmarks Foundation, Inc. 7,500

60. Arts Hall of Fame, Alabama:

SOURCE OF FUNDS:

(1) State General Fund 6,000

Total Alabama Arts Hall of Fame 6,000

61. Anniston Subregional Library for the Blind and Physically Handicapped:

(a) Special Services Program		6,000
SOURCE OF FUNDS:		
(1) State General Fund	6,000	
Total Anniston Subregional Library for the Blind and Physically Handicapped	6,000	6,000
62. Birmingham International Educational Film Festival:		
(a) Special Services Program		10,000
SOURCE OF FUNDS:		
(1) State General Fund	10,000	
Total Birmingham International Educational Film Festival	10,000	10,000
63. Southern Center for International Studies, Annual Membership:		
(a) Special Services Program		25,000
SOURCE OF FUNDS:		
(1) State General Fund	25,000	
Total Southern Center For International Studies, Annual Membership	25,000	25,000
64. Safe Place:		
(a) Social Services Program		20,000
SOURCE OF FUNDS:		
(1) State General Fund	20,000	
Total Safe Place	20,000	20,000
65. Music Hall of Fame, Alabama:		
(a) Tourism and Travel Promotion Program		25,000
SOURCE OF FUNDS:		
(1) State General Fund	25,000	
Total Alabama Music Hall of Fame	25,000	25,000
66. W. C. Handy Property Board:		
(a) Historical Resources Management Program		5,000
SOURCE OF FUNDS:		
(1) State General Fund	5,000	
Total W. C. Handy Property Board	5,000	5,000

67. Cherokee Vocational
School—Colbert County:

(a) Industrial Training Program 15,000

SOURCE OF FUNDS:

(1) State General Fund 15,000

Total Cherokee Vocational
School—Colbert County 15,000 15,000

68. Alabama Aviation Hall of
Fame:

There is hereby appropriated the
amount of \$15,000 to the Ala-
bama Aviation Hall of Fame to be
conditioned upon the availability
of funds in the State General
Fund and approval of the Gover-
nor.

69. Macon County Council on Re-
tardation and Rehabilitation
Center:

There is hereby appropriated the
amount of \$50,000 to the Macon
County Council on Retardation
and Rehabilitation Center to be
conditioned on the availability of
funds and upon approval of the
Governor.

70. Fruitdale High School Band:

(To attend the World's Fair)

There is hereby appropriated the
amount of \$5,000 to the Fruitdale
High School Band to be con-
ditioned upon the availability of
funds in the State General Fund
and upon approval of the Gover-
nor.

71. Buck's Pocket State Park:

There is hereby appropriated the
amount of \$50,000 to Buck's
Pocket State Park to be con-
ditioned on the availability of
funds in the State General Fund
and upon the approval of the
Governor.

72. Trenholm State Technical Col-
lege:

(For emergency medical training)

There is hereby appropriated the
amount of \$150,000 to Trenholm

State Technical College to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor.

73. Cullman Industrial Board:

There is hereby appropriated \$50,000 to the Cullman Industrial Board for use on capital expenditures for construction to be conditioned upon the availability of funds in the State Treasury and upon the approval of the Governor.

74. Alabama 4-H Club Foundation:

There is hereby appropriated the amount of \$300,000 to the Alabama 4-H Club Foundation for capital outlay to be conditioned upon the availability of funds in the State General Fund and upon the approval of the Governor.

F. DEBT SERVICE FUNDED FROM THE GENERAL FUND:

1. General Obligation Capital Improvement Bonds, Series A and B, Estimated	1,124,048
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	<u>1,124,048</u>	
Total General Obligation Capital Improvement Bonds, Series A and B	<u>1,124,048</u>	<u>1,124,048</u>

2. General Obligation Coosa Waterway Bonds, Series A, Estimated	653,873
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	<u>653,873</u>	
Total General Obligation Coosa Waterway Bonds, Series A	<u>653,873</u>	<u>653,873</u>

3. General Obligation Docks Facilities Bonds, Series A—C, Estimated	4,548,001
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	<u>4,548,001</u>	
Total General Obligation Docks Facilities Bonds, Series A-C ...	<u>4,548,001</u>	<u>4,548,001</u>

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4. Inland Waterway Improvement Bonds, Series A through D, Estimated	314,258
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SOURCE OF FUNDS:

(1) State General Fund—Transfer	314,258
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Total Inland Waterway Improvement Bonds, Series A through D, Estimated	314,258	314,258
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5. Tennessee-Tombigbee Waterway Bonds, Series A and B, Estimated	900,068
--	---------

SOURCE OF FUNDS:

(1) State General Fund—Transfer, Estimated Pursuant to Constitutional Amendment No. CCLXX as provided in Act No. 248, 1967 Regular Session	900,068
--	---------

Total Tennessee-Tombigbee Waterway Bonds Series A and B, Estimated	900,068	900,068
--	---------	---------

6. Corrections Institution Bonds, Estimated	1,055,875
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SOURCE OF FUNDS:

(1) State General Fund Transfer, Estimated	1,055,875
--	-----------

Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.

Total Corrections Institution Bonds	1,055,875	1,055,875
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7. General Obligation Bonds, 1982, Series A and B, Estimated	66,677,328
--	------------

SOURCE OF FUNDS:

(1) State General Fund Transfer, Estimated	66,677,328
--	------------

Pursuant to Constitutional Amendment No. 395 (Proposed by Act No. 81-1179, adopted at the 1981 3rd Special Session of the Legislature.)

Total General Obligation Bonds, 1982, Series A and B, Estimated	66,677,328	66,677,328
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Section 3. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for

the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Section 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Act No. 494, 1976 Regular Session, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 40, Chapter 8, Sections 80-96, 1975 Code of Alabama and the Budget Management Act of 1976 (Acts No. 494).

Section 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission, or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission, or agency.

Section 5. In addition to appropriation herein made, all gifts, grants, contributions, appropriations, entitlements or any other funds, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 6. No funds appropriated herein may be expended for rent, leases, contracts, or purchases of data processing equipment for services or for rent of any office space on any contract, lease, purchase or agreement made prior to September 30, 1982 for such items, unless approved or reapproved on or after October 1, 1982 by the Director of Finance.

Section 7. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated for General Government to be spent at the discretion of the Governor.

Section 8. That, if any section, paragraph, sentence, clause, provision, or portion of the Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 9. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

Section 11. That this Act shall become effective October 1, 1982.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Pearson, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 151, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Hall	Martin	Smith
Bailey	Higginbotham	McDonald	Taylor
Britnell	Hilliard	Miller	Teague (B)
Cook	Holmes	Mitchem	Teague (J)
deGraffenried	Keener	Pearson	Vacca
Denton	Kirkland	Proctor	Weeks
Figures	Lemaster	Robertson	White
Gulledge	Little	St. John	

—30

Nay: Mr. Harrison.

—1

BILLS ON THIRD READING

The Bill:

H. 688. To provide that the operation of bingo games for prizes or money only by qualified organizations for bona fide charitable, educational, or other lawful purposes shall be legal in Montgomery County; to provide for permits or licenses, applications, forms and contents to operate bingo, to provide for special permits or licenses, to prohibit certain activities and impose special requirements; to provide for fees and expenses; to provide for the disposition of proceeds; to provide for the operation of bingo; to provide for the keeping of records and their inspection; to provide for the issuance and revocation of permits or licenses; to provide for supervision by the circuit court; to provide for certain powers and duties of the sheriff; to provide for penalties and forfeitures; and to provide that this act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery County, and approved at a referendum on the subject in the county; provided, however, if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery County, no further referendum is needed.

was read a third time at length and passed.

Yeas 25; Nays 0; Abstaining 2.

Yeas:

Messrs.:	Denton	Harrison	Kirkland
Bailey	Figures	Higginbotham	Lemaster
Callahan	Gulledge	Hilliard	Little
Cook	Hall	Holmes	McDonald

Miller	Proctor	Teague (J)	Weeks	
Parsons	St. John	Vacca	White	
Pearson	Smith			—25
<i>Nays:</i>				—0
<i>Abstaining:</i> Messrs.: Taylor and Teague (B).				—2

The Bill:

H. 689. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit organizations for charitable or educational purposes in Montgomery County.

was read a third time at length, as required by the Constitution, and passed.

Yeas 25; Nays 0; Abstaining 2.

Yeas:

Messrs.:	Hall	Little	St. John	
Bailey	Harrison	McDonald	Smith	
Callahan	Higginbotham	Miller	Teague (J)	
Cook	Hilliard	Parsons	Vacca	
Denton	Holmes	Pearson	Weeks	
Figures	Kirkland	Proctor	White	
Gulledge	Lemaster			—25

Nays: —0

Abstaining: Messrs.: Taylor and Teague (B). —2

The Bill:

H. 808. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Harrison	McDonald	Smith	
Britnell	Hilliard	Mitchem	Teague (B)	
Cook	Holmes	Parsons	Teague (J)	
deGraffenried	Keener	Pearson	Vacca	
Denton	Lemaster	Proctor	Weeks	
Figures	Little	St. John	White	
Hall	Martin			—25

Nays: —0

RESOLUTIONS

Messrs. Teague (J), Proctor, and Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 261. HONORING MR. GEORGE G. McFADEN.

WHEREAS, George C. McFaden, now retired as the Director of the Department of Adult Blind and Deaf, Alabama Institution for Deaf and

Blind, Talladega, Alabama, has been selected by the National Industries for the Blind as the recipient of the organization's highest award, the R. B. Irwin Award; and

WHEREAS, this award, to be bestowed at the annual Spring meeting in Biloxi, Mississippi, on May 12, 1982, is given as a recognition of the pioneering and dedicated services of Dr. Robert B. Irwin who was largely responsible for the enactment of the Wagner-O'Day Act, and who served as Vice President of the National Industries for the Blind in the early years of its establishment in 1938; and

WHEREAS, Mr McFaden is an individual who has contributed significantly in the areas of creativity, ingenuity, practical application of well established or new principles in workshop operation, advanced approach to recognition of blind and sighted personnel and their relationship to the overall program of the workshop; and

WHEREAS, this gentleman who is a native of Elmore County, received two degrees from Auburn University and started his employment as a Vocational Agriculture Teacher in Cullman County, joined the Vocational Rehabilitation Staff in 1946 and later served the State Office Staff as Supervisor of Services to Blind and Deaf, moving in 1964 to the position of Director, Department of Adult Blind, Alabama Institute for Deaf and Blind, implementing a building program to include a Trade School for the Blind and Deaf and renovation of Industries for the Blind in 1965; and

WHEREAS, Mr. McFaden has been widely recognized by his peers for his contributions to the realm of the handicapped, both blind and deaf as well as deaf-blind; and

WHEREAS, after more than 40 years of dedicated service this latest recognition by the National Industries for the Blind is an outstanding accomplishment which climaxes a career marked with countless contributions and a life style which reflects his genuine liking and respect for all people, handicapped and non-handicapped alike; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That for outstanding characteristics enumerated herein, we hereby name George G. McFaden to the ranks of great Americans.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to George G. McFaden, his family, distributed to the press, retained in the files of the Legislature and displayed in the Alabama History and Archives.

On motion of Mr. Teague (J), the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Bailey and Miller offered the following Senate Joint Resolution, to-wit:

S. J. R. 262. COMMENDING PATRICIA ANN ELLIOT UPON HER RECENT RETIREMENT AS DISTRICT DIRECTOR OF THE ALABAMA LUNG ASSOCIATION.

WHEREAS, The Legislature of Alabama takes great pride in noting the recent retirement of Patricia Ann Elliott as Southeast Alabama District Director of the Alabama Lung Association; and

WHEREAS, she retired on March 31, 1982 after 27 years with the Alabama Lung Association; and

WHEREAS, On September 6, 1955, she began serving as the Executive Secretary of the "Society for the Eradication of Tuberculosis in the Wire-grass" (SETWIRE Association), a position she held for 19 years; and

WHEREAS, her numerous contributions to the organization were invaluable when it was reorganized into the Southeast District of the Alabama Lung Association in 1973; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Patricia Ann Elliott on her outstanding career in service to the public with the Alabama Lung Association.

BE IT FURTHER RESOLVED, That she receive a copy of this resolution that she may know of our sincere praise and high regard, and of our warm wishes for every future success.

On motion of Mr. Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 263. CONGRATULATING DEAN TRUMAN M. PIERCE ON HIS ACHIEVEMENTS AND CONTRIBUTIONS TO TEACHER EDUCATION.

WHEREAS, Truman M. Pierce, Dean Emeritus of the School of Education at Auburn University, has distinguished himself as one of Alabama's outstanding educators; and

WHEREAS, Dean Pierce epitomizes the standards of excellence in teaching, research, and administration among his colleagues; and

WHEREAS, Dean Pierce served as Dean of the Troy State University School of Education, Dean of the Auburn University School of Education, Executive Secretary of the Southern States Work Conference, President of the University Council for Educational Administration, Member of the National Council for Accreditation of Teacher Education, and President of the Association of Colleges and Schools of Education in State Universities and Land Grant Universities; and

WHEREAS, Dean Pierce is recognized for his knowledge and leadership in the field of teacher education, initiating much research in this area directly leading to improved teaching in the elementary and secondary schools of Alabama; and

WHEREAS, The Southern States Work Conference composed of professional educators from twelve Southern states has granted Auburn University funds to establish the Truman M. Pierce Center for the Study and Improvement of Teacher Education;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Alabama, both houses thereof concurring, that the Legislature congratulates Dean Truman M. Pierce on his many achievements and contributions to teacher education, and that the Legislature endorses the establishment of the Truman M. Pierce Center for the Study and Improvement of Teacher Education, and pledges its support to maintain and enhance the effort; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Southern States Work Conference, Dean Truman M. Pierce, and the President of Auburn University.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Keener offered the following Senate Joint Resolution, to-wit:

S. J. R. 264. COMMENDING MR. CURTIS McMAHAN FOR HIS EFFORTS IN ORGANIZING THE HOKES BLUFF FIRE DEPARTMENT.

WHEREAS, the Alabama Legislature notes the achievements of Mr. Curtis U. McMahan of Hokes Bluff, Alabama, for his efforts in establishing the first fire department for that city on December 22, 1953; and

WHEREAS, Mr McMahan was selected as the department's first fire chief and continued to serve in that capacity for nearly 20 years; and

WHEREAS, during his tenure as Chief, the fire department was consistently recognized as one of the outstanding volunteer fire fighting organizations in the State of Alabama; and

WHEREAS, Mr. McMahan devoted countless hours of his time and energy and literally thousands of dollars of his personal resources to promote and maintain the continued improvement of both the fire fighting personnel and the physical equipment and buildings of the Hokes Bluff Fire Department; and

WHEREAS, the Alabama Legislature notes that the following individuals served with honor and distinction as initial members of the Hokes Bluff Fire Department: Messrs. Shorty Driskell, Ralph Fleming, E. W. Garmany, Bud Gidley, Claude Green, Carl Gwin, Vic Johnson, M. A. Lambert, Troy Lett, Hood Miller, Speedy Patterson, Grady Reeves, Tom Sexton, Waldo Smith, Hugh Stovall, Jake Tidmore and Dennis Vinyard; and

WHEREAS, each of these gentlemen are to be commended and duly recognized for their collective efforts in providing for the safety and physical security of their families, friends and neighbors; now therefore,

BE IT FURTHER RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Curtis McMahan as the original Chief of the Hokes Bluff Fire Department and the men listed above who served under him.

BE IT FURTHER RESOLVED, That Mr. McMahan receive a copy of this resolution as an expression of the high regard in which he is held by the Alabama Legislature.

On motion of Mr. Keener, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Kirkland, Bailey, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Vacca, Weeks and White offered the following Senate Joint Resolution, to-wit:

S. J. R. 265. COMMENDING REPRESENTATIVE BROOKS HINES OF BREWTON, ESCAMBIA COUNTY, ALABAMA.

WHEREAS, at the close of the current term of the Alabama Legislature, our friend and colleague Representative Brooks Hines will have completed two terms of meritorious service, not only on behalf of his constituents of

House District 91, Escambia County, but to the good of all citizens of Alabama as well; and

WHEREAS, regrettably, Mr. Hines has elected not to seek an almost certain third term in the House and his loss to the Legislature will be keenly felt in many areas of his particular interest and expertise; and

WHEREAS, during the past eight years, Representative Hines has served on such important committees as Business and Labor, Health, Education, Banking and Insurance, and has effectively led passage of responsible legislation vital to the progress of our State; and

WHEREAS, during his legislative tenure, Mr. Hines also has played a significant role in the improvement and progress of our state's prison system, most particularly as vice chairman for four years and chairman for the last four years of the Prison Oversight Committee which he helped form, and through his successful efforts in such areas as budget re-structure, increased appropriations and reform within the system of such programs as work release and prison industries; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Representative Brooks Hines of Brewton, Alabama, for outstanding service as a member of the Alabama House of Representatives; we further express our hopeful anticipation of his return to a future term of the Legislature in continuing service to the State of Alabama.

On motion of Mr. Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 437. Relating to Shelby County; providing further for additional levy of court costs and the collection and distribution of such court costs, on the service of certain court action, instituted outside the State of Alabama, whether at law or equity; and prescribing that all revenue thereby generated shall be deposited into the "Sheriff's Department Fund" of the county general fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Smith
Bailey	Higginbotham	McDonald	Taylor
Britnell	Hilliard	Miller	Teague (B)
Cook	Holmes	Mitchem	Teague (J)
Denton	Keener	Parsons	Vacca
Figures	Kirkland	Proctor	White
Gulledge	Little		

—25

Nays:

—0

The Bill:

H. 544. Relating to Montgomery County; providing further for the salary of the district judges, effective upon the next term of office.

was taken up.

Mr. Taylor offered the following substitute for the Bill, H. B. 544, to-wit:

SUBSTITUTE FOR H. 544

A BILL
TO BE ENTITLED
AN ACT

Relating to Montgomery County; providing further for the salary of the district judges, effective upon the next term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. Each district judge in Montgomery County shall be entitled to receive supplemental pay in the total sum of \$11,500 per year. Such supplemental pay shall be paid out of the county general fund in equal installments in the same manner as other supplemental salary payments are made and shall be in addition to that salary prescribe by law to be paid such district judge from the state treasury.

Section 2. The provisions of this Act shall have no force and effect and shall be null and void if the report of the Judicial Compensation Commission becomes law.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor
Bailey	Harrison	Mitchem	Teague (B)
Britnell	Hilliard	Parsons	Teague (J)
Callahan	Holmes	Pearson	Vacca
Cook	Lemaster	Proctor	Weeks
Denton	Little	St. John	White
Figures	Martin		

—25

Nays: —0

And said Bill, H. B. 544, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Callahan	Figures	Hilliard
Bailey	Cook	Hall	Holmes
Britnell	Denton	Harrison	Lemaster

Little
Martin
Miller
Mitchem

Parsons
Pearson
Proctor
St. John

Taylor
Teague (B)
Teague (J)

Vacca
Weeks
White

—25

Nays:

—0

The Bill:

H. 597. Relating to Mobile County and specifically to the Mobile Board of School Commissioners and all full-time employees of the Board requiring use of funds from certain portions of revenue received from ad valorem taxes.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 597, to-wit:

COMMITTEE AMENDMENT TO H. B. 597

Amend House Bill 597 in Section 3, page 1, line 27 by striking the number "32,000" and inserting in lieu thereof the number "62,000".

Further amend H. B. 597 in Section 4, page 1, line 29 by striking "1982-83" and inserting in lieu thereof the year "1983-84".

Further amend H. B. 597 in Section 4, page 1, line 31 by striking "1982-83" and inserting in lieu thereof the year "1983-84".

Further amend H. B. 597 in Section 5, page 1, line 36 by striking the words "any given" and inserting in lieu thereof the following words "the 1983-84".

Further amend H. B. 597 in Section 5, page 1, lines 37 and 38 by striking the words "for the 1982-83 budget and in budgets thereafter" and inserting a period "." after the word "Act" on line 37.

Further amend H. B. 597 in Section 6, page 2, line 5 after the word "renovation" by adding the word "operation".

Further amend H. B. 597 in Section 6, page 2, line 6 by striking the following: ", excluding administrative facilities" and inserting a period "." after the word "Board".

Further amend H. B. 597 in Section 7, page 2, line 8 by striking the number "5" and inserting in lieu thereof the number "15".

Further amend H. B. 597 in Section 11, page 2, line 28 by striking the number "5" and inserting in lieu thereof the number "15".

Further amend H. B. 597 in Section 14, page 3 by deleting lines 5 and 6 in their entirety.

Further amend H. B. 597 on page 3 line 7 after the word "Section" by deleting the number "15" and inserting in lieu thereof the number "14."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Bailey

Callahan
Cook

Denton
Figures

Gulledge
Hall

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Higginbotham	Lemaster	Parsons	Taylor	
Hilliard	Little	Pearson	Teague (J)	
Holmes	Martin	Proctor	Vacca	
Keener	McDonald	Smith	White	
Kirkland	Mitchem			—25

Nays: —0

And said Bill, H. B. 597, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Little	Proctor	
Bailey	Higginbotham	Martin	Smith	
Callahan	Hilliard	McDonald	Taylor	
Cook	Holmes	Mitchem	Teague (J)	
Denton	Keener	Parsons	Vacca	
Figures	Kirkland	Pearson	White	
Gulledge	Lemaster			—25

Nays: —0

The Bill:

H. 710. Relating to Montgomery County; to provide an additional expense allowance for the members of the Board of Education.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Little	Proctor	
Bailey	Harrison	McDonald	St. John	
Britnell	Higginbotham	Miller	Taylor	
Cook	Hilliard	Mitchem	Teague (B)	
deGraffenried	Keener	Parsons	Vacca	
Denton	Kirkland	Pearson	Weeks	
Figures	Lemaster			—25

Nays: —0

The Bill:

H. 738. Relating to Shelby County; providing for an increase in salary for the part-time bailiffs of said county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Denton	Harrison	Lemaster
Bailey	Figures	Hilliard	Little
Britnell	Gulledge	Keener	Martin
Cook	Hall	Kirkland	McDonald

Mitchem	St. John	Teague (J)	Weeks	
Parsons	Smith	Vacca	White	
Proctor	Taylor			—25
<i>Nays:</i>				—0

The Bill:

H. 739. Relating to Shelby County; to provide for the mailing addresses of the grantors and grantees to appear on all conveyances of real property recorded in the probate office of such county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	St. John	
Bailey	Hilliard	McDonald	Smith	
Britnell	Holmes	Miller	Teague (B)	
Cook	Keener	Mitchem	Teague (J)	
Denton	Kirkland	Parsons	Vacca	
Figures	Lemaster	Proctor	Weeks	
Gulledge	Little			—25
<i>Nays:</i>				—0

The Bill:

H. 753. To levy additional county sales and use taxes in Pickens County for public school purposes in said county; to provide for the collection, distribution, and use of such taxes; to provide for the enforcement of the Act; to provide for severability; to provide the effective date hereof and for the substitution of the taxes levied hereby; and to prescribe penalties for violation of this Act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	St. John	
Bailey	Hall	McDonald	Taylor	
Britnell	Harrison	Miller	Teague (B)	
Cook	Higginbotham	Parsons	Teague (J)	
deGraffenried	Holmes	Pearson	Vacca	
Denton	Keener	Proctor	White	
Figures	Lemaster			—25
<i>Nays:</i>				—0

RESOLUTION

Messrs. Higginbotham, Bailey, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gulledge, Hall, Harrison, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Vacca, Weeks and White offered the following Senate Joint Resolution, to-wit:

S. J. R. 266. COMMENDING MRS. PENNIE BUCKELEW FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

WHEREAS, Mrs. Pennie Buckelew, a former employee of the Alabama House of Representatives, has worked with the Legislative Fiscal Office since its establishment in 1975 as an office of the legislature; and

WHEREAS, as a conscientious and knowledgeable member of the Fiscal Office staff, Mrs. Buckelew has helped provide the legislature with the vital information and assistance necessary to respond in an informed and responsible manner to the fiscal affairs of our state; and

WHEREAS, regrettably, Mrs. Buckelew has had to resign her position with the Fiscal Office and the State of Alabama as her family soon will be moving to Austin, Texas, in connection with her husband's employment; and

WHEREAS, though both the legislature and the Fiscal Office sorely regret the necessity of Mrs. Buckelew's resignation, we are deeply grateful for her valuable assistance through the years and for her dedicated labors on our behalf; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend our friend and associate, Mrs. Pennie Buckelew, for meritorious service to the State of Alabama and sincerely wish her every future success.

BE IT FURTHER RESOLVED, That Mrs. Buckelew receive a copy of this resolution that she and her husband, Mike, and their young son, Jason, may be aware of our warm best wishes and regard.

On motion of Mr. Cook, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 763. Relating to Montgomery County, Alabama; providing for an expense allowance for the tax assessor and tax collector; providing for the termination of such allowance; and establishing the effective date of this Act. was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	St. John
Bailey	Harrison	Martin	Taylor
Britnell	Hilliard	Miller	Teague (B)
Callahan	Holmes	Mitchem	Vacca
deGraffenried	Keener	Pearson	Weeks
Denton	Kirkland	Proctor	White
Figures	Lemaster		

—25

Nays:

—0

The Bill:

H. 805. Relating to Russell County; repealing Act No. 436, H. 923, 1975 Regular Session (Acts 1975, p. 1048), which provides for the jurisdiction of the Inferior Court, the compensation of the judge and constables, and the duties of the clerk of said court.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John	
Bailey	Hall	Miller	Smith	
Britnell	Higginbotham	Mitchem	Teague (B)	
Callahan	Holmes	Parsons	Vacca	
Cook	Keener	Pearson	Weeks	
Denton	Kirkland	Proctor	White	
Figures	Little			—25

Nays: —0

The Bill:

H. 806. Relating to Russell County; repealing Act No. 502, H. 2087, 1971 Regular Session (Acts 1971, p. 1220), which is a population based bill that provides for the compensation of the judges, constables and clerks of the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John	
Bailey	Hall	Miller	Smith	
Britnell	Higginbotham	Mitchem	Teague (B)	
Callahan	Holmes	Parsons	Vacca	
Cook	Keener	Pearson	Weeks	
Denton	Kirkland	Proctor	White	
Figures	Little			—25

Nays: —0

The Bill:

H. 766. Relating to Marion County; to provide further for the compensation of the employees of the sheriffs's office.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Smith	
Britnell	Higginbotham	McDonald	Taylor	
Cook	Holmes	Miller	Teague (B)	
deGraffenried	Keener	Parsons	Teague (J)	
Denton	Kirkland	Pearson	Vacca	
Figures	Lemaster	Proctor	White	
Hall	Little			—25

Nays: —0

The Bill:

H. 772. To provide for the minimum compensation for all deputy sheriffs in Calhoun County, Alabama.

was read a third time at length and passed.

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Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Callahan	Higginbotham	Mitchem	Taylor
Cook	Holmes	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Weeks
Figures	Lemaster	Proctor	White
Gulledge	Little		

—25

Nays: —0

The Bill:

H. 814. To amend Act No. 79-157, S. 222, 1979 Regular Session (Acts 1979, p. 256), which act establishes a policemen's and firemen's retirement fund for the City of Anniston, so as to empower the Board of Trustees with the authority to amend the benefit formula contained in said act; to empower the Board to employ the services of an actuary and to provide for the minimum qualifications of such actuary.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Callahan	Higginbotham	Mitchem	Taylor
Cook	Holmes	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Weeks
Figures	Lemaster	Proctor	White
Gulledge	Little		

—25

Nays: —0

The Bill:

H. 598. Relating to Mobile County; providing that the board of registrars shall appoint one or more deputy registrars for each municipality to take applications for voter registration one day each week.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 598, to-wit:

COMMITTEE AMENDMENT TO H. B. 598

Amend House Bill, 598, page 3 by deleting Section 7 in its entirety and inserting in lieu thereof the following:

"Section 7. This act shall become effective January 1, 1983."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Taylor	
Bailey	Hilliard	Miller	Teague (B)	
Callahan	Holmes	Parsons	Teague (J)	
deGraffenried	Kirkland	Pearson	Vacca	
Figures	Lemaster	Proctor	Weeks	
Gulledge	Little	St. John	White	
Harrison	Martin			—25

Nays: —0

And said Bill, H. B. 598, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Taylor	
Bailey	Hilliard	Miller	Teague (B)	
Callahan	Holmes	Parsons	Teague (J)	
deGraffenried	Kirkland	Pearson	Vacca	
Figures	Lemaster	Proctor	Weeks	
Gulledge	Little	St. John	White	
Harrison	Martin			—25

Nays: —0

The Bill:

H. 601. Relating to Madison County; prescribing certain bond requirements for bondsmen and the criteria for determining such requirements.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith	
Bailey	Hall	McDonald	Teague (B)	
Britnell	Higginbotham	Mitchem	Teague (J)	
Callahan	Hilliard	Parsons	Vacca	
Cook	Holmes	Pearson	Weeks	
Denton	Keener	Proctor	White	
Figures	Lemaster			—25

Nays: —0

The Bill:

H. 712. Relating to Madison County; providing expense allowances for certain county officials.

was read a third time at length and passed.

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Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith
Bailey	Hall	McDonald	Teague (B)
Britnell	Higginbotham	Mitchem	Teague (J)
Callahan	Hilliard	Parsons	Vacca
Cook	Holmes	Pearson	Weeks
Denton	Keener	Proctor	White
Figures	Lemaster		

—25

Nays:

—0

The Bill:

H. 727. Relating to Mobile County and the members of the board of registrars; providing for the meeting dates for voter registration and voter reidentification, transportation and expense allowances for said members, and specifically repealing the following acts, all relating to meeting dates and expense allowances applicable to Mobile County Board of Registrars: Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Taylor
Bailey	Hilliard	Mitchem	Teague (B)
Callahan	Keener	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Vacca
Figures	Lemaster	Proctor	Weeks
Gulledge	Little	Smith	White
Harrison	Martin		

—25

Nays:

—0

The Bill:

H. 749. Relating to Madison County; authorizing the sheriff to charge a fee for fingerprinting certain persons; and providing for the distribution and auditing of such fees.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Figures	Keener	Pearson
Bailey	Gulledge	Lemaster	Proctor
Britnell	Hall	Little	Smith
Callahan	Harrison	McDonald	Teague (B)
Cook	Higginbotham	Mitchem	Vacca
deGraffenried	Hilliard	Parsons	Weeks
Denton	Holmes		

—25

Nays:

—0

The Bill:

S. 464. To provide a more effective means of enforcing child support obligations by providing for withholding, under certain circumstances, of amounts from the obligee's unemployment compensation of entitlement; for the forwarding of such amounts to the child support enforcement agency; to establish the required procedures and to provide for the payment of reasonable administrative costs in connection therewith by the child support agency. was taken up.

Mr. Teague (J) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 665. To provide a more effective means of enforcing child support obligations by providing for withholding, under certain circumstances, of amounts from the obligee's unemployment compensation of entitlement; for the forwarding of such amounts to the child support enforcement agency; to establish the required procedures and to provide for the payment of reasonable administrative costs in connection therewith by the child support agency.

in place of S. B. 464.

And said Bill, H. B. 665, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Denton	McDonald	Teague (B)	
Britnell	Hall	Miller	Teague (J)	
Callahan	Holmes	Robertson	Vacca	
Cook	Keener	St. John	White	
deGraffenried	Little	Taylor		—18

Nays:

—0

On motion of Mr. Teague (J) further consideration of the Bill, S. B. 464, was indefinitely postponed.

The Bill:

S. 466. To amend portions of the Alabama Unemployment Compensation Act contained in Sections 25-4-75 and 25-4-140, Code of Alabama 1975, as last amended, so as to comply with the mandatory provisions of Public Law 97-35, relating to unemployment compensation; the extended benefit program; to permit assignment of benefits in connection with child support obligation and to provide for the deduction of, and subsequent payment to state and local child support enforcement agencies, amounts authorized by an agreement by an obligee or upon order of a court and to correct an error incorporated in Act 81-424, Regular Session, 1981, amending Section 25-4-75.

was taken up.

Mr. Teague (J) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 663. To amend portions of the Alabama Unemployment Compensation Act contained in Sections 25-4-75 and 25-4-140, Code of Alabama 1975, as last amended, so as to comply with the mandatory provisions of Public Law 97-35, relating to unemployment compensation; the extended benefit program; to permit assignment of benefits in connection with child support

obligation and to provide for the deduction of, and subsequent payment to state and local child support enforcement agencies, amounts authorized by an agreement by an obligee or upon order of a court and to correct an error incorporated in Act 81-424, Regular Session, 1981, amending Section 25-4-75.

in place on S. B. 466.

And said Bill, H. B. 663, was read a third time at length and passed.

Yeas 16; Nays 0.

Yeas:

Messrs.:	Denton	Little	Smith
Britnell	Hall	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
deGraffenried	Holmes	St. John	Teague (J)
			Vacca

—16

Nays:

—0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

On motion of Mr. Teague (J), further consideration of the Bill, S. B. 466, was indefinitely postponed.

The Bill:

S. 472. To amend sections 25-4-16, 25-4-77, 25-4-78, 25-4-94, and 25-4-118, Code of Alabama 1975, as last amended, so as to include amounts of the employee's portion of state unemployment and federal social security contributions paid by the employer without deduction from the employee's pay as "wages"; to permit receipt of benefits while attending training approved under the provisions of the Trade Readjustment Act of 1974 or, under certain criteria, leaving a job to enter such training; to remove "seeking a pension" as a cause for disqualification and permit fifty (50) percent reduction of social security or railroad retirement pension payments prior to deduction from benefits; to authorize release of information on wages, employment, benefits and location of individuals to child support agencies and to public and law enforcement officials in the performance of their official duties and provide penalties for misuse thereof; to make other such amendments as are necessary to meet mandatory federal conformity provisions; to make minor administrative changes and to set the effective date for the provisions of this act.

was taken up.

Mr. Teague (J) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 673. To amend section 25-4-16, 25-4-77, 25-4-78, 25-4-94, and 25-4-118, Code of Alabama 1975, as last amended, so as to include amounts of the employee's portion of state unemployment and federal social security contributions paid by the employer without deduction from the employee's pay as "wages"; to permit receipt of benefits while attending training approved under the provisions of the Trade Readjustment Act of 1974 or, under certain criteria, leaving a job to enter such training; to remove "seeking a pension" as a cause for disqualification and permit fifty (50) percent reduction of social

security or railroad retirement pension payments prior to deduction from benefits; to authorize release of information on wages, employment, benefits and location of individuals to child support agencies and to public and law enforcement officials in the performance of their official duties and provide penalties for misuse thereof; to make other such amendments as are necessary to meet mandatory federal conformity provisions; to make minor administrative changes and to set the effective date for the provisions of this act.

in place of S. B. 472.

And said Bill, H. B. 673, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	Taylor	
Bailey	Holmes	Mitchem	Teague (B)	
Britnell	Keener	Parsons	Teague (J)	
Denton	Little	St. John	Vacca	
Hall	McDonald	Smith		—18

Nays: —0

On motion of Mr. Teague (J), further consideration of the Bill, S. B. 472, was indefinitely postponed.

The Bill:

S. 390. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses and other payments.

was taken up.

Mr. Teague (J) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 523. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses and other payments.

in place of S. B. 390.

And said Bill, H. B. 523, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Cook	Martin	Taylor	
Bailey	deGraffenried	McDonald	Teague (B)	
Britnell	Higginbotham	Miller	Teague (J)	
Callahan	Holmes	Mitchem	Vacca	
	Little	Pearson	White	—18

Nays: —0

On motion of Mr. Teague (J), further consideration of the Bill, S. B. 390, was indefinitely postponed.

The Bill:

S. 543. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

was taken up.

Mr. Gullledge requested and received permission to suspend the Rules in order to bring up the Bill:

H. 780. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama, 1975.

in place of S. B. 543.

Mr. Bailey offered the following amendment to the Bill, H. B. 780, to-wit:

AMENDMENT TO H. B. 780

On page 2, line 12 — delete the following:

Within 24 months of the effective date of this Act, each of the aforementioned identified groups must obtain federal recognition to participate in the commission.

On motion of Mr. Gullledge, further consideration of the Bill, H. B. 780 and pending amendment was postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 165. To further regulate the taxation of beer by levying an exclusive statewide local privilege or excise tax on every person licensed under the provisions of Title 28, Article 3A, Code of Alabama 1975, who sells, stores or receives for the purpose of distribution, beer; to provide for the collection and distribution of the proceeds of said tax; to authorize county and municipal license fees; to provide for penalties; to proscribe unlawful acts and offenses and prescribe punishment therefor; to provide for eligible counties a phase-out system of net revenue loss from local beer tax; and to supersede and repeal all local taxes, county and municipal, levied on or measured by the sale of beer, except general sales taxes.

Also:

H. 306. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Mobile County, Alabama.

Also:

H. 373. To amend section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

JOHN W. PEMBERTON,
Clerk.

BILLS RE-REFERRED

Mr. Pearson moved that the Bill, H. B. 50, be removed from the Standing Committee on Commerce, Transportation, and Utilities and re-referred to the Standing Committee on Rules, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 50, re-referred to the Standing Committee on Rules.

Mr. Pearson then moved that the Bill, H. B. 107, be removed from the Standing Committee on Judiciary and re-referred to the Standing Committee on Rules, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 107, re-referred to the Standing Committee on Rules.

Mr. Pearson then moved that the Bills, H. B.'s 88, 240, 320, 699, 745, and 754, be removed from the Standing Committee on Finance and Taxation and re-referred to the Standing Committee on Rules.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 88, 240, 320, 699, 745, and 754, re-referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 410. To provide that the State Personnel Board, with the approval of the Governor, may provide that the State shall pickup member contributions to the Employees' Retirement System of Alabama and that such contributions shall be treated as employer contributions for federal income tax purposes but shall continue to be treated as before for all other state law purposes.

was taken up.

Mr. Taylor requested and received permission to suspend the Rules in order to bring up the Bill:

H. 542. To provide that the State Personnel Board, with the approval of the Governor, may provide that the State shall pick-up member contributions to the Employees' Retirement System of Alabama and that such contributions shall be treated as employer contributions for federal income tax purposes but shall continue to be treated as before for all other state law purposes and to further provide that the Supreme Court of Alabama may provide that the State and counties shall pick-up member contributions to the Judicial Retirement Fund and that such contributions shall be treated as employer contributions for federal tax purposes but shall continue to be treated as before for all other state law purposes.

in place of S. B. 410.

And said Bill, H. B. 542, was read a third time at length and passed.

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Yeas 18; Nays 0.

Yeas:

Messrs.:	Harrison	Miller	Taylor
Bailey	Higginbotham	Mitchem	Teague (B)
Callahan	Holmes	Pearson	Vacca
Denton	Little	Robertson	White
Hall	McDonald	Smith	—18

Nays: —0

On motion of Mr. Taylor, further consideration of the Bill, S. B. 410, was indefinitely postponed.

The Bill:

H. 750. Relating to Madison County; authorizing the sheriff to operate a jail store; and providing for the distribution and auditing of moneys earned.

was read a third time at length and passed.

Yeas: 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith
Bailey	Hall	McDonald	Teague (B)
Britnell	Higginbotham	Mitchem	Teague (J)
Cook	Hilliard	Parsons	Vacca
deGraffenried	Holmes	Pearson	Weeks
Denton	Keener	Proctor	White
Figures	Lemaster		—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 315. To create the Office of Air Transportation (hereinafter referred to as the Office); to centralize the maintenance, management, storage, usage, fueling, and operations of state owned aircraft; to designate the Act as the "Office of Air Transportation Act of 1982"; to provide a statement of legislative intent; to provide definitions; to provide for a director of the Office; to provide for other personnel for the Office; to provide for the transfer of property and funds from various state agencies which presently maintain and operate state aircraft and to provide for certain exceptions from the provisions of this Act; to authorize the Office to establish a state program of state aircraft operations and to set reasonable charges for the use and maintenance of state aircraft by other state agencies and departments; to provide for duties, powers and functions of the Office; to legislate appropriate funds; to create a revolving fund in the state treasury for the operations of the Office and to authorize the director to make deposits and expenditures from time to time as are necessary for the Office's operations; and to require annual reporting by the director of the Office's operations to the Governor and to the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pearson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 315, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 315

Amend Senate Bill 315, Section 7, Page 3, beginning on line 34, by striking subsection (b) in its entirety and inserting a new subsection (b) to read as follows:

(b) The State Forestry Commission, the Department of Public Safety, the Alabama Department of Aeronautics, the State Oil and Gas Board, the State Department of Conservation and Natural Resources, and all trade schools, two year post secondary junior colleges and technical colleges and all four year colleges and universities shall be excepted from the provisions of this Act, except pilot classifications of the State Forestry Commission and the State Department of Conservation and Natural Resources, and they shall be governed by Section 6 (six) of this Act. Each excepted commission or department will utilize the Office's central state hangars, fuel and maintenance department when economically feasible. Such services rendered by the central state hangar, fuel and maintenance department shall be billed by the Office at the end of each month to the respective commission or department.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Robertson
Bailey	Higginbotham	Miller	Smith
Callahan	Holmes	Mitchem	Taylor
deGraffenried	Keener	Parsons	Vacca
Denton	Kirkland	Proctor	White
Hall			

—20

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 201. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

was taken up.

Mr. Callahan offered the following amendment to the Bill, H. B. 201, to-wit:

AMENDMENT TO HOUSE BILL 201

Amend Section 1 of House Bill 201 by striking Paragraph B and causing paragraph (b) thereof to read in full as follows:

“(b) Re-appointment. - A register who:

(1) Holds office on October 10, 1975, and

(2) Is not eligible to retire and receive reitrement compensation by reason of age and years of service or by provision of any retirement program in effect on January 17, 1977, may be re-appointed for terms of six years, but no register shall be re-appointed after completion of any term during which he becomes eligible to retire and receive retirement compensation; provided, that a register who becomes eligible to retire during a term shall be eligible to re-appointment by the Presiding Judge of his Circuit for not more than six additional terms of one year each; and provided further, that until such time as the register becomes eligible to retire and receive retirement compensation, re-appointment shall be automatic unless a majority of the circuit judges within the circuit, or by unanimous agreement where there are only two circuit judges, file a written declaration with the administrative director of courts stating that the register shall not be re-appointed. At such time, the office shall be deemed vacant under subsection (a) of this section."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Pearson	
Bailey	Higginbotham	McDonald	Smith	
Callahan	Hilliard	Miller	Taylor	
deGraffenried	Holmes	Mitchem	Vacca	
Figures	Keener	Parsons	Weeks	
Hall	Kirkland			—21

Nays: —0

And said Bill, H. B. 201, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Smith	
Bailey	Higginbotham	McDonald	Taylor	
Callahan	Hilliard	Miller	Vacca	
deGraffenried	Holmes	Mitchem	Weeks	
Figures	Keener	Parsons		—21
Hall	Kirkland	Pearson		

Nays: —0

The Bill:

H. 769. Relating to Mobile County and the members of the board of registrars; providing for the meeting locations for voter registration and voter reidentification; and repealing the following acts relating to the Mobile County Board of Registrars; Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	Smith	
Bailey	Hilliard	McDonald	Teague (B)	
Callahan	Holmes	Miller	Teague (J)	
deGraffenried	Keener	Mitchem	Vacca	
Figures	Kirkland	Pearson	Weeks	
Gulledge	Lemaster	Proctor	White	
Harrison	Little			—25

Nays:

—0

The Bill:

H. 773. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Loxley in Baldwin County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	St. John	
Bailey	Hilliard	Miller	Smith	
Callahan	Holmes	Mitchem	Teague (B)	
Cook	Keener	Parsons	Teague (J)	
Denton	Kirkland	Pearson	Weeks	
Figures	Lemaster	Proctor	White	
Gulledge	Little			—25

Nays:

—0

The Bill:

H. 788. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 788, to-wit:

COMMITTEE AMENDMENT TO H. B. 788

Amend House Bill 788 by adding the following new Section 4 and therefor making the existing Section 4, Section 5 and renumber subsequent sections accordingly:

"Section 4. No electric utility company or other entity providing electric power and service within the City of Lincoln shall construct its lines and facilities on, over, or under any of the streets, avenues, alleys, public places and thoroughfares of the City of Lincoln in the area annexed herein as described above, or in any areas annexed in the future in the City of Lincoln, where electric lines or facilities are already situated or under construction for the purpose of duplicating the facilities already existing or under construction. Furthermore, no electric utility company or other entity providing electric power and service shall extend service to any customer under 200 K. W. demand peak of electrical load that is already receiving electrical service from another electric utility company or other entity providing electric power and service."

Which was adopted.

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Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John
Bailey	Hall	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Cook	Holmes	Mitchem	Teague (J)
deGraffenried	Kirkland	Parsons	Weeks
Denton	Lemaster	Proctor	White
Figures	Little		

—25

Nays: —0

And said Bill, H. B. 788, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John
Bailey	Hall	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Cook	Holmes	Mitchem	Teague (J)
deGraffenried	Kirkland	Parsons	Weeks
Denton	Lemaster	Proctor	White
Figures	Little		

—25

Nays: —0

The Bill:

S. 332. To amend Section 26-7A-1 and 26-7A-10, Code of Alabama, 1975, to provide that all probate courts may, in the exercise of their judicial discretion, appoint a curator for certain persons and provides for the appointment of "limited curators".

was taken up.

Mr. Proctor requested and received permission to suspend the Rules in order to bring up the Bill:

H. 501. To amend Sections 26-2-1 and 26-2-45, Code of Alabama 1975, to provide that the courts may, in the exercise of their judicial discretion, appoint a "limited guardian" for a partially disabled person.

in place of S. B. 332.

And said Bill, H. B. 501, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
deGraffenried	Holmes	Mitchem	Teague (B)
Denton	Kirkland	Pearson	Teague (J)
Gulledge	Little	Proctor	

—18

Nays: —0

On motion of Mr. Proctor, further consideration of the Bill, S. B. 332, was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Harper (T), Bedsole, Amari, McMillan, Buskey, Stewart, Warren, Clark (W), Loghley, Parker, and Kennedy:

H. J. R. 383. NAMING OF A NEW BOAT RAMP IN MT. VERNON, ALABAMA AFTER REPRESENTATIVE J. E. TURNER.

WHEREAS, The Honorable J. E. Turner serves District 96 of Mobile and Washington County; and

WHEREAS, he has served his district well with loyal dedication and in the best interests of his fellow citizens, and,

WHEREAS, through his tireless efforts was successful in obtaining \$50,000 for the construction of a new ramp at Mt. Vernon in Mobile County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in appreciation for dedicated public service and achievement, we hereby name and designate the ramp at Fort Stoddard in Mount Vernon, Alabama as the J. E. Turner Boat Ramp.

BE IT FURTHER RESOLVED, That the proper authorities are directed to erect and maintain appropriate signs and markers so designating said Boat Ramp as the J. E. Turner Boat Ramp.

RESOLVED FURTHER, That a copy of this resolution be given to Representative J. E. Turner as a memento of this honorary designation of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald, the Rules were suspended and the Resolution, H. J. R. 383, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointments and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mrs. Henry Brandli, Mr. Joe Dickson, Dr. Kenneth Harris, Mrs. Kay Kelley, and Mr. John W. Nixon, Jr. to the Board of Pensions and Security.

On motion of Mr. McDonald, the appointment of Mrs. Brandli was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Holmes	Miller	Smith	
Cook	Kirkland	Mitchem	Teague (B)	
deGraffenried	Little	Parsons	Vacca	
Hall	Martin	Pearson	White	
Higginbotham	McDonald	Robertson		—18

Nays: —0

On motion of Mr. McDonald, the appointment of Mr. Dickson was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Holmes	Miller	Smith	
Cook	Kirkland	Mitchem	Teague (B)	
deGraffenried	Little	Parsons	Vacca	
Hall	Martin	Pearson	White	
Higginbotham	McDonald	Robertson		—18

Nays: —0

On motion of Mr. McDonald, the appointment of Dr. Harris, was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Holmes	Miller	Smith	
Cook	Kirkland	Mitchem	Teague (B)	
deGraffenried	Little	Parsons	Vacca	
Hall	Martin	Pearson	White	
Higginbotham	McDonald	Robertson		—18

Nays: —0

On motion of Mr. McDonald, the appointment of Mrs. Kelley was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Holmes	Miller	Smith	
Cook	Kirkland	Mitchem	Teague (B)	
deGraffenried	Little	Parsons	Vacca	
Hall	Martin	Pearson	White	
Higginbotham	McDonald	Robertson		—18

Nays: —0

On motion of Mr. McDonald, the appointment of Mr. Nixon was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Holmes	Miller	Smith	
Cook	Kirkland	Mitchem	Teague (B)	
deGraffenried	Little	Parsons	Vacca	
Hall	Martin	Pearson	White	
Higginbotham	McDonald	Robertson		—18

Nays: —0

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointments and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mr. Ed Dannelly, Mr. Phil Forrester, Mrs. Earl Goodwin, and Mr. Aubrey Green to the Board of Trustees of the University of South Alabama.

On motion of Mr. McDonald, the appointment of Mr. Dannelly was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Teague (B)	
Bailey	Higginbotham	Mitchem	Teague (J)	
Britnell	Kirkland	Parsons	Vacca	
Callahan	Little	Pearson	Weeks	
deGraffenried	Martin	Robertson	White	
Denton	McDonald	Taylor		—22

Nays: —0

On motion of Mr. McDonald, the appointment of Mr. Forrester was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Teague (B)	
Bailey	Higginbotham	Mitchem	Teague (J)	
Britnell	Kirkland	Parsons	Vacca	
Callahan	Little	Pearson	Weeks	
deGraffenried	Martin	Robertson	White	
Denton	McDonald	Taylor		—22

Nays: —0

On motion of Mr. McDonald, the appointment of Mrs. Goodwin was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Callahan	Hall	Little
Bailey	deGraffenried	Higginbotham	Martin
Britnell	Denton	Kirkland	McDonald

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Miller	Pearson	Teague (B)	Weeks	
Mitchem	Robertson	Teague (J)	White	
Parsons	Taylor	Vacca		—22

Nays: —0

On motion of Mr. McDonald, the appointment of Mr. Green was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Teague (B)	
Bailey	Higginbotham	Mitchem	Teague (J)	
Britnell	Kirkland	Parsons	Vacca	
Callahan	Little	Pearson	Weeks	
deGraffenried	Martin	Robertson	White	
Denton	McDonald	Taylor		—22

Nays: —0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 267. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twenty-ninth legislative day of the 1982 Regular Session only:

BILL NO.	PAGE NO.	DESCRIPTION
H. B. 150	64	Cert. St. emp. salary increase
H. B. 480	54	Education Employees salary inc.
H. B. 697	59	Legislature, approp.
H. B. 154	15	Lyman Ward Military Academy
H. B. 155	16	Talladega College
H. B. 156	16	Marion Military Inst.
H. B. 158	17	Walker Co. Jr. College
H. B. 397	17	Tuskegee Inst. Approp.
H. B. 331	9	Diesel fuel sellers
H. B. 668	46	City/land hotels
H. B. 283	40	Code of Ethics/fireman
H. B. 301	22	Dept. of Agri. & Indus. travel
H. B. 640	45	Mine rescue stations
H. B. 725	24	Local Handgun laws
H. B. 687	62	Ret., peace officers, tax exempt
H. B. 768	54	Ind. Dev. Board issue bonds

H. B. 265	56	Judges Ret. credit
H. B. 813	31	Anatomical gifts req. on drivers lic.
H. B. 253	57	Control of swine diseases
H. B. 325	51	Damages done at schools
H. B. 552	27	Health care auth.
H. B. 9	13	Port auth./incorp.
H. B. 341	26	Hazardous waste
H. B. 41	6	Toll Road Auth. int. on bonds
H. B. 80	47	Nonresident hunting licenses
H. B. 383	39	Handgun ammunition
H. B. 300	11	SE Interstate Radioactive
H. B. 565	57	ABC Bd. fund inv.
H. B. 134	62	High ed gas purchases
H. B. 542	55	Employees Ret. system
H. B. 70	69	Military ret. income tax
H. B. 221	67	ABC Bd. add sales tax
H. B. 204	59	Linda Roberts approp.
H. B. 108	66	Teachers Ret. System
H. B. 519		
H. B. 289	40	Short-barreled guns
H. B. 61	43	Incorp. muni.
H. B. 633	10	Huntsville St. Docks
H. B. 28	5	Interim committee members
H. B. 509	63	Arts Dev. Fund
H. B. 249	36	Dental Serv. Corp.
H. B. 375		
H. B. 755	21	Money judgements/int.
H. B. 692		
H. B. 60	43	Unincorp. communities
H. B. 474	24	Awards made by cities
H. B. 123	19	Wrongful death of children
H. B. 609	68	Oil & gas operators/payment
H. B. 655	30	Hospital corporations
H. B. 618	38	Podiatry
H. B. 100	21	Controlled sub "look alike"
H. B. 362	20	Pharmacy robberies

On motion of Mr. McDonald, said Resolution was then adopted by the Senate.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Communication from the State Department of Archives and History and ordered same returned to the Senate with a favorable report, to-wit:

Certification of Election to the Board of Trustees of the Archives and History Department of Mr. Robert E. Steiner, III and Archbishop Oscar H. Lipscomb.

On motion of Mr. McDonald, the election of Mr. Steiner was confirmed by the Senate.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Robertson	
Britnell	Kirkland	Miller	Smith	
Cook	Lemaster	Mitchem	Taylor	
deGraffenried	Little	Parsons	Vacca	
Denton	Martin	Pearson		—19
Hall				

Nays: —0

On motion of Mr. McDonald, the election of Archbishop Lipscomb was confirmed by the Senate.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Denton	Martin	Proctor	
Bailey	Hall	McDonald	Robertson	
Britnell	Higginbotham	Miller	Smith	
Callahan	Kirkland	Mitchem	Taylor	
Cook	Lemaster	Parsons	Teague (J)	
deGraffenried	Little	Pearson	Vacca	—23

Nays: —0

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Temple A. Ennis to the Livingston University Board of Trustees.

On motion of Mr. McDonald, the appointment of Mr. Ennis was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Callahan	Denton	Higginbotham
Bailey	Cook	Hall	Holmes
Britnell	deGraffenried	Harrison	Kirkland

Lemaster	McDonald	Parson	Vacca	
Little	Miller	Robertson	White	
Martin	Mitchem	Smith		—22
Nays:				—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 151. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983.

Also:

H. 165. To further regulate the taxation of beer by levying an exclusive statewide local privilege or excise tax on every person licensed under the provisions of Title 28, Article 3A, Code of Alabama 1975, who sells, stores or receives for the purpose of distribution, beer; to provide for the collection and distribution of the proceeds of said tax; to authorize county and municipal license fees; to provide for penalties; to proscribe unlawful acts and offenses and prescribe punishment therefor; to provide for eligible counties a phase-out system of net revenue loss from local beer tax; and to supersede and repeal all local taxes, county and municipal, levied on or measured by the sale of beer, except general sales taxes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 337. INCREASING THE NUMBER OF BOARD MEMBERS OF THE ALABAMA SCHOOL OF FINE ARTS FROM ELEVEN TO FIFTEEN.

Also:

H. J. R. 255. DESIGNATING MAY 1, 1982, AS CONSTITUTION HALL PARK DAY.

Also:

H. J. R. 218. EXTENDING BEST WISHES TO MR. AND MRS. OTIS KENT ON THE OCCASION OF THEIR 62ND WEDDING ANNIVERSARY.

On motion of Mr. McDonald, said Resolutions were then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 214. COMMENDING DENNIS GARRETT, WINTERBORO HIGH SCHOOL, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 272. COMMENDING DR. LEON DAVIS, OF MONTEVALLO, ALABAMA, ON BECOMING PRESIDENT OF THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS.

On motion of Mr. Proctor, said Resolutions were then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 365. MOURNING THE DEATH OF MRS. MARIE REYNOLDS LEWIS OF BESSEMER, ALABAMA.

On motion of Mr. Cook, said Resolution was then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 273. COMMENDING THE LIVINGSTON UNIVERSITY LADY TIGERS BASKETBALL TEAM FOR WINNING THEIR SECOND CONSECUTIVE AIAAW SOUTHERN DIVISION CHAMPIONSHIP.

On motion of Mr. Robertson, said Resolution was then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 264. COMMENDING THE PINSON VALLEY HIGH SCHOOL WRESTLING TEAM FOR WINNING ITS THIRD STRAIGHT 3A STATE WRESTLING CHAMPIONSHIP.

Also:

H. J. R. 263. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM FOR THEIR RECENT WINNING SEASON.

On motion of Mr. Hall, said Resolutions were then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions, and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 327. MOURNING THE DEATH OF MR. ROBERT BRYANT STRONG OF AUBURN, ALABAMA.

Also:

H. J. R. 313. RECOGNIZING COACH LUTHER McKENDREE YOUNG FOR DISTINGUISHED SERVICE TO AUBURN UNIVERSITY.

On motion of Mr. Higginbotham, said Resolutions were then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 161. To amend section 4 of Act No. 135 enacted at the 1978 Second Extraordinary Session of the Legislature of Alabama (Acts of 1978, p. 1868), §40-7-25.1, Code of Alabama 1975, which act was entitled "An Act to provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the Department of Revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act," so as to provide for the further definition of current use value of Class III property and to provide for methods of determining current use value on and after October 1, 1981 through the use of standard value formulas, to describe and set out those formulas, and to provide a mechanism for appeal of standard value determination with respect to individual parcels of Class III property.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor returning House Bill 161 without the Governor's signature and approval and with a suggested executive amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 20th day of April, 1982.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill 161, without my signature and approval and with the following suggested executive amendment:

Beginning on the first page of the enrolled bill, with the first word of the title, delete all the language found on that page and further delete all the language found throughout the remainder of the bill, and insert in lieu thereof the following language:

"To amend Section 40-7-25.1, Code of Alabama 1975, which pertains to the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value so as to provide for the further definition of current use value of Class III property and to provide for methods of determining current use value on and after October 1, 1981 through the use of standard value formulas, and to describe and set out those formulas.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 40-7-25.1, Code of Alabama 1975, is hereby amended to read as follows:

"Section 40-7-25.1. For ad valorem tax years beginning on and after October 1, 1978, with respect to taxable property defined in Section 40-8-1, as amended, as Class III property and upon request by the owner of such property as hereinafter provided, the assessor shall base his appraisal of the value of such property on its current use on October 1 in any taxable year and not on its fair and reasonable market value. Failure of an owner of Class III property to request appraisal at current use value shall mean that the property shall be valued on its fair and reasonable market value as otherwise provided in this Title until such time as the owner thereof shall request valuation on the basis of current use value. As used in this chapter, "current use value" shall be deemed to be the value of eligible taxable property based on the use being made of that property on October 1 of any taxable year; provided, that no consideration shall be taken of the prospective value such property might have if it were put to some other possible use. It is not the

intent of the Legislature to establish in this section any presumption as to the fair and reasonable market value of any property, or any minimum such value. This section shall govern only determination of the current use value of eligible property with respect to which a timely request for appraisal at current use value shall have been made.

(a) In determining the current use value, on and after October 1, 1981, of eligible taxable property the owner of which shall elect current use valuation of such property hereunder, the assessor shall presume that there is no possibility of the property being used for any other purpose, as if there were a legal prohibition against its use for any other purpose. utilize the standard value method of current use valuation outlined herein. (No new application form need be filed under Section 40-7-25.2 in order for this method to be utilized with respect to property the owner of which, prior to October 1, 1981, shall have elected to have had assessed at the ratio of its assessed value to its current use value, and which property was in fact so assessed; however, the tax assessor of the county in which the property is located may request of the owner such additional information as may be required to compute current use value hereunder.) To utilize the standard value method of current use valuation, the tax assessor shall first determine the character of the property with respect to which current use valuation is elected as row crop (meaning real property used for raising, harvesting and selling crops), pasture (which characterization shall cover all of the types of real property described in Section 40-8-1(b)(3) with the exception of real property used for raising, harvesting and selling crops and real property used for the growing and sale of timber and forest products), timber (meaning real property used for the growing and sale of timber and forest products), residential (as defined in Section 40-8-1(b)(2)), or historic buildings and sites (as defined in Section 40-8-1(b)(6)). With respect to Class III property consisting of parcels of five acres or less, the owners of which shall have elected current use valuation respecting those parcels, the tax assessor may require the submission of additional data as may be necessary to establish that the use being made of the parcels of property in question is row crop, pasture, timber, residential or historic building and site, as the case may be; such data may include site management plans from the Alabama Forestry Commission, photographs and surveys, or verification of use from the county farm agent or the U.S. Soil Conservation Service.

With respect to row crop, pasture and timber property, the tax assessor shall determine, in his best judgment, the productivity rating or ratings of "good", "average" and "poor" applicable to such property based on the information entered on the tax return list and from all other information known to him, or which he may procure. The tax assessor in each county shall develop annually an Agricultural Land Value Schedule which shall list the average appraised value in that county for row crop, pasture and timber property by productivity ratings of "good", "average" and "poor". The tax assessor in each county shall provide the Department of Revenue with a copy of such schedule not later than October 1 of each year.

(b) The tax assessor shall use, on and after October 1, 1981, the following formulas and methods to determine the assessed value of each type of Class III property, with respect to which a current use valuation election has been made:

(1) Row Crop, Pasture and Timber Property - The owner of row crop, pasture and timber property desiring to elect current use valuation shall submit to the assessor satisfactory evidence indicating the character and the productivity rating, as defined herein, applicable to the property in question.

Such evidence may include countywide soil survey maps or, with respect to property located in counties for which county-wide soil survey maps are not available from the U.S. Soil Conservation Service, include a soil survey map describing the soils of the property in question prepared by the U.S. Soil Conservation Service or other governmental or private soil mapping agency and shall include such other evidence as the Department of Revenue shall prescribe. The department of Revenue, utilizing statistics from the then next preceding federal dicennial census, the Agricultural Land Value Schedules of the several counties, the Alabama Crop and Livestock Reporting Service, the Alabama Cooperative Extension Service and the Alabama Agricultural Experiment Station, shall determine annually not later than November 15 for use in assessing property for taxation as of the immediately preceding October 1, the current use standard value for row crop, pasture and timber property as follows:

- a. The population for each county shall be determined:
- b. The total number of acres of row crop, pasture and timber property, respectively, in each county shall be determined;
- c. Row Crop Property - The population for each county shall be divided by the total number of acres of row crop property in that county to produce a population to crop acreage ratio (P/CA ratio):

1. The several counties shall be ranked according to P/CA ratio (the county having the highest P/CA ratio being ranked number 1 and the county having the lowest P/CA ratio being ranked number 67) and the counties that fall within the bottom 50% (being the 50% of counties having the lowest P/CA ratios) shall be determined.

2. Utilizing the Agricultural Land Value Schedules for the bottom 50% of counties as determined under the preceding subparagraph, the Department shall add the average appraised values in all such counties for row crop property with the productivity rating of "good" and divide the sum total by the number of figures so added to produce an average appraised value per acre of row crop property with a productivity rating of "good". The Department shall repeat the foregoing procedure twice but each time substituting average appraised values for row crop property having productivity ratings of "average" and "poor" respectively, to produce average appraised values for row crop property having productivity ratings of "average" and "poor".

3. The figures so obtained shall be the current use standard values per acre of row crop property for productivity ratings "good", "average" and "poor" respectively.

- d. Pasture Property - The population for each county shall be divided by the total number of acres of pasture property in that county to produce a population to pasture acreage ratio (P/PA ratio):

1. The several counties shall be ranked according to P/PA ratio (the county having the highest P/PA ratio being ranked number 1 and the county having the lowest P/PA ratio being ranked number 67) and the counties that fall within the bottom 50% (being the 50% of counties having the lowest P/PA ratios) shall be determined.

2. Utilizing the Agricultural Land Value Schedules for the bottom 50% of counties as determined under the preceding subparagraph, the Department shall add the average appraised values in all such counties for pasture property with the productivity rating of "good" and divide the sum total by the number of figures so added to produce an average appraised value per acre of pasture property with a productivity rating of "good". The Department shall repeat the foregoing procedure twice but each time substituting average appraised values for pasture property having productivity ratings of "average" and "poor" respectively, to produce average appraised values for pasture property having productivity ratings of "average" and "poor".

3. The figures so obtained shall be the current use standard values per acre of pasture property for productivity ratings "good", "average" and "poor" respectively.

e. Timber Property - The population for each county shall be divided by the total number of acres of timber property in that county to produce a population to timber acreage ratio (P/TA ratio):

1. The several counties shall be ranked according to P/TA ratio (the county having the highest P/TA ratio being ranked number 1 and the county having the lowest P/TA ratio being ranked number 67) and the counties that fall within the bottom 50% (being the 50% of counties having the lowest P/TA ratios) shall be determined.

2. Utilizing the Agricultural Land Value Schedules for the bottom 50% of counties as determined under the preceding subparagraph, the Department shall add the average appraised values in all such counties for timber property with the productivity rating of "good" and divide the sum total by the number of figures so added to produce an average appraised value per acre of timber property with a productivity rating of "good". The Department shall repeat the foregoing procedure twice but each time substituting average appraised values for timber property having productivity ratings of "average" and "poor" respectively, to produce average appraised values for timber property having productivity ratings of "average" and "poor".

3. The figures so obtained shall be the current use standard values per acre of timber property for productivity ratings "good", "average" and "poor" respectively.

The figures obtained using this formula shall be the current use standard values per acre of property in row crop, pasture and timber use by productivity rating in the State with respect to which current use valuation is elected by the owner thereof; provided, however, that for each tax year following the first tax year for which values are computed pursuant to the standard value method provided herein, with respect to property of each productivity rating, the current use standard values per acre shall be adjusted so that such standard values shall not be less than 100% of such standard values as computed for the first tax year for which values are computed hereunder. Utilizing the Department's determination of standard values, the tax assessor shall enter the standard value or values per acre determined hereunder, multiplied by the number of acres of row crop, pasture and timber property respectively, by their productivity ratings, included in the property with respect to which a current use valuation election is in effect, on his records and proceed to assess the property at that value for ad valorem tax purposes utilizing the assessment ratio or ratios then applicable to Class III property.

(2) Residential Property and Historic Buildings and Sites. The current use standard values for individual parcels of residential property and historic buildings and sites in each county in the State shall be determined by each county tax assessor annually utilizing comparative fair and reasonable market values of comparable residential or historic building and site property located in the county, which property cannot ordinarily be used other than as residential property or as an historic building or site, the tax assessor to presume that there is no possibility of the property being used for any other purpose than as residential property or an historic building and site, as if there were a legal prohibition against its use for any other purpose. The Department of Revenue shall promulgate appropriate regulations and orders for use by tax assessors in determining such comparable values. The tax assessor shall enter the standard values so determined on his records concerning property with respect to which a current use valuation election is in effect and proceed to assess the property at that value for ad valorem tax purposes utilizing the assessment ratio or ratios then applicable to Class III property.

(c) The current use value of the first five hundred acres of the total acres owned by any persons shall be that value which equals sixty percent (60%) of the current use standard value per acre.

(d) In determining the current use value for real property classified as agricultural or forestry property the tax assessor shall consider farm income, soil productivity or fertility, topography, susceptibility to flooding, rental value, replaceability as agricultural property for the production of food and fiber and other factors which may serve to determine value for agricultural or timber production purposes, including any such factors that the Department of Revenue shall, by regulation specify. The Department of Revenue shall, prior to May 1, 1979, prescribe all needful rules and regulations for the enforcement and implementation of this section by the department and by the several county tax assessors and all other persons listed in subdivision subsection (1) of Section 40-2-11 as being charged with any duty in the enforcement of tax laws."

Section 2. All laws and parts of laws in conflict with any of the provisions of this Act are hereby expressly repealed or modified to the extent necessary to carry out the provisions of this Act.

Section 3. In the event any portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this Act, which shall continue effective

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Respectfully,

FOB JAMES,
Governor.

The House has refused to make the amendment from His Excellency, the Governor, to the Bill by a vote of: Yeas 54; Nays 45.

And said Bill was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 56, Nays 40.

And said Bill, H. 161, together with the Governor's Message containing his objections, is herewith sent to the Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Gullede, the Senate reconsidered the Bill, H. B. 161, the title of which is set out in the foregoing Message from the House.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Gullede	Lemaster	Mitchem	
Bailey	Harrison	Little	Proctor	
Britnell	Higginbotham	Martin	Robertson	
Callahan	Holmes	McDonald	Taylor	
Denton	Kirkland	Miller	Teague (J)	—19

Nays:

Messrs.:	Hilliard	St. John	Weeks	
deGraffenried	Keener	Smith	White	
Figures	Parsons	Teague (B)		—13
Hall	Pearson	Vacca		

And said Bill, H. B. 161, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being:

Yeas 19; Nays 13.

Yeas:

Messrs.:	Gullede	Lemaster	Mitchem	
Bailey	Harrison	Little	Proctor	
Britnell	Higginbotham	Martin	Robertson	
Callahan	Holmes	McDonald	Taylor	
Denton	Kirkland	Miller	Teague (J)	—19

Nays:

Messrs.:	Hilliard	St. John	Vacca	
deGraffenried	Keener	Smith	Weeks	
Figures	Parsons	Teague (B)	White	—13
Hall	Pearson			

And said Bill, H. B. 161, together with the Governor's Message containing his objections, is herewith returned to the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 49. To be known as the Law of Intestate Succession and Wills, providing the substantive law to govern intestate succession and wills, providing definitions of some terms with respect to decedents' estates, establishing certain rights to property of a decedent and amending certain sections of the Alabama Code of 1975 and repealing specific code sections and statutes that conflict herewith as well as all other laws that conflict with this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. St. John, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 49, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 49

Amend § 1-201(3) on page 4, lines 32 through 34 as follows: deleting the entire definition of "court" on page 4, lines 32 through 34 and in lieu thereof insert the following:

"Court" means the court having jurisdiction in matters relating to the affairs of decedents. This court in Alabama is known as the Probate Court."

Further amend § 1-303 on page 9, line 27 as follows:

"(c) If a the Court finds that in the interest of Justice"

Further amend § 1-310 on page 10, line 7 as follows:

"or is informed, and penalties of perjury may follow"

Further amend § 2-513 on page 28, lines 10 through 27 as follows:

delete the entire section 2-513 on page 28, lines 10-27.

Further amend § 8-102(a) page 38, line 10 by deleting the following:

"Sections 43-1-30 through 43-1-40;" and inserting in lieu thereof the following:

"Section 43-1-40;"

Further amend § 8-102(b) Alabama Code Section 26-10-5 page 40 on lines 26, 28 and 32 as follows:

Insert before the word "court" on each line the word "Probate".

Further amend § 8-102(b) Alabama Code Section 26-10-5 on page 42 on line 25 as follows:

"a Probate court of-competent jurisdiction shall not be

Further amend page 42, line 36 by adding the following section:

"8-103. Savings Clause.

No provision of this Act shall be construed to void, alter, or modify, when invoked the equity jurisdiction or powers of Jefferson and Mobile Counties."

Yeas 20; Nays 1.

Yeas:

Messrs.:	Holmes	Parsons	Taylor
Bailey	Kirkland	Pearson	Teague (B)
Britnell	Lemaster	Proctor	Teague (J)
Callahan	Martin	Robertson	Vacca
deGraffenried	Mitchem	St. John	Weeks
Hall			

—20

Nay: Mr. Little.

—1

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 320. COMMENDING DR. MARIE L. O'KOREN, DEAN AND PROFESSOR, SCHOOL OF NURSING, UNIVERSITY OF ALABAMA IN BIRMINGHAM, ON HER TENTH ANNIVERSARY OF DISTINGUISHED SERVICE.

Also:

H. J. R. 319. COMMENDING MISS ELELYN CHRISTINE STRUCK OF HUNTSVILLE ON CONTINUING OUTSTANDING ACADEMIC ACHIEVEMENT.

On motion of Mr. McDonald, said Resolutions were then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Dial, Johnson (R. G.) and Shoemaker:

H. J. R. 372. NAMING THE OMS 14 SHOP AT TALLADEGA, ALABAMA, THE "RAY PATTERSON OPERATION MAINTENANCE FACILITY."

WHEREAS, Mr. Ray Patterson of Talladega joined the Alabama National Guard in 1940 to be activated at the onset of World War II and serve with the 31st Infantry Division throughout the war and until his discharge in July 1945; and

WHEREAS, following tours of duty in Texas, Mississippi and Virginia and to Camp Patrick Henry for Port of Embarkation, Mr. Patterson then underwent jungle training in New Guinea and joined the 124th Regimental Combat Team to later see action in New Guinea and Morotai Dutch East Indies; he also participated in several beach landings and received a number of decorations including the Bronze Star, Army Commendation Medal and Expert Infantry Badge; and

WHEREAS, Mr. Patterson was employed by the Alabama National Guard in 1949 and served some thirty years as Shop Chief of the Maintenance Operation in Talladega rising in Grade from E-1 through E-8 to retire in 1978; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the National Guard OMS 14 Shop at Talladega, Alabama, the "Ray Patterson Operation Maintenance Facility."

BE IT FURTHER RESOLVED, That we express a desire that the proper authorities erect and maintain appropriate signs and markers so designating said facility and that a copy of this resolution be forwarded to Mr. Patterson as a memento of this honorary designation of the legislation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald, the Rules were suspended and the Resolution, H. J. R. 372, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 277. COMMENDING THE JACKSONVILLE STATE UNIVERSITY MARCHING BAND.

Also:

H. J. R. 317. COMMENDING THE JOHN T. MORGAN ACADEMY DEBATE TEAM, 1982 STATE NOVICE CHAMPIONS.

Also:

H. J. R. 278. URGING THE ALABAMA HIGH SCHOOL ATHLETIC ASSOCIATION TO REVIEW AND RESTRUCTURE ITS RULES AND REGULATIONS GOVERNING STUDENT ATHLETES WITHIN THE ASSOCIATION'S PURVIEW.

Also:

H. J. R. 330. EXPRESSING APPRECIATION TO THE ALABAMA SYMPHONY ORCHESTRA FOR COURTESIES EXTENDED TO THE LEGISLATURE.

Also:

H. J. R. 316. HONORING MRS. ALVA CRAIG WOLF UPON HER RETIREMENT AS COORDINATOR OF THE SPEECH THERAPY PROGRAM OF THE MONTGOMERY PUBLIC SCHOOLS.

Also:

H. J. R. 315. COMMENDING COLONEL GORDON "JACK" MOHR OF BAY SAINT LOUIS, MISSISSIPPI, A DISTINGUISHED PATRIOT AND PROMINENT FUNDAMENTAL BAPTIST EVANGELIST.

Also:

H. J. R. 314. COMMENDING MR. WILLIS CARL MATHEWS UPON HIS RETIREMENT FROM THE DOBBS MANUFACTURING COMPANY OF BIRMINGHAM, ALABAMA.

Also:

H. J. R. 312. COMMENDING SELMA HIGH SCHOOL'S DEBATE TEAM, 1982 STATE CHAMPIONS.

Also:

H. J. R. 311. COMMENDING MISS CANDICE HEMPHILL, GOVERNOR OF THE 1982 ALABAMA Y.M.C.A. YOUTH LEGISLATURE.

Also:

H. J. R. 309. CONGRATULATING MRS. MARY ELEANOR (NELL) COE OF JACKSON COUNTY, ALABAMA, ON HER UPCOMING 93RD BIRTHDAY.

Also:

H. J. R. 307. COMMENDING MR. B. B. WILLIAMSON OF LIVINGSTON, ALABAMA, ON HIS MANY YEARS OF SERVICE TO THE COMMUNITY AND THE STATE.

Also:

H. J. R. 298. COMMENDING DOCTOR DONALD E. DAVIS FOR HIS SERVICES TO AUBURN UNIVERSITY.

Also:

H. J. R. 292. NAMING THE COOSA RIVER BRIDGE IN POLLARD'S BEND, CHEROKEE AND ETOWAH COUNTIES, ALABAMA, "THE GUY HIGGINS-MORRIS L. NELSON BRIDGE."

Also:

H. J. R. 287. EXPRESSING APPRECIATION OF THE LEGISLATURE TO MR. CARL ELLIOTT, A DISTINGUISHED ALABAMIAN.

Also:

H. J. R. 285. COMMENDING THE ESTABLISHMENT OF THE "NATIONAL BAND ASSOCIATION HALL OF FAME OF DISTINGUISHED PERSONS" AT TROY STATE UNIVERSITY.

Also:

H. J. R. 280. MOURNING THE DEATH OF MR. L. C. KIRK PAYNE, FORMER MAYOR OF ALABASTER, ALABAMA.

Also:

H. J. R. 262. NAMING THE BRIDGE ON HIGHWAY 68 IN CEDAR BLUFF, ALABAMA, "COBIA'S BRIDGE."

Also:

H. J. R. 261. CONGRATULATING MRS. ESTELLE SCROGGIN SMITH OF CHEROKEE COUNTY, ALABAMA, ON HER 90TH BIRTHDAY.

Also:

H. J. R. 224. NAMING THE NEW BRIDGE WHICH CONNECTS COLBERT AND LAWRENCE COUNTIES, THE "JOE PATTERSON BRIDGE."

On motion of Mr. McDonald, said Resolutions were then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 282. URGING THE HONORABLE FOB JAMES AND COMMISSIONER JOHN McMILLAN TO CANCEL IMPLEMENTATION OF CERTAIN OPPRESSIVE RULES AND REGULATIONS RELATING TO FINFISH FISHING AND TO ALLOW INPUT BY CITIZENS AFFECTED.

On motion of Mr. Weeks, said Resolution was then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 157. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

On motion of Mr. Lemaster, said Resolution was then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 335. CONTINUING AND REORGANIZING THE INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT.

On motion of Mr. Martin, said Resolution was then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 143. CREATING THE LEGISLATIVE JOINT INTERIM STUDY COMMITTEE ON PRISON WORK-RELEASE PROGRAMS.

On motion of Mr. Taylor, said Resolution was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 306. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Mobile County, Alabama.

Also:

H. 373. To amend section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 437. Relating to Shelby County; providing further for additional levy of court costs and the collection and distribution of such court costs, on the service of certain court action, instituted outside the State of Alabama, whether at law or equity; and prescribing that all revenue thereby generated shall be deposited into the "Sheriff's Department Fund" of the county general fund.

Also:

H. 601. Relating to Madison County; prescribing certain bond requirements for bondsmen and the criteria for determining such requirements.

Also:

H. 688. To provide that the operation of bingo games for prizes or money only by qualified organizations for bona fide charitable, educational, or other lawful purposes shall be legal in Montgomery County; to provide for permits or licenses, applications, forms and contents to operate bingo, to provide for special permits or licenses, to prohibit certain activities and impose special requirements; to provide for fees and expenses; to provide for the disposition of proceeds; to provide for the operation of bingo; to provide for the keeping of records and their inspection; to provide for the issuance and revocation of permits or licenses; to provide for supervision by the circuit court; to provide for certain powers and duties of the sheriff; to provide for penalties and forfeitures; and to provide that this act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery County, and approved at a referendum on the subject in the county; provided, however, if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery County, no further referendum is needed.

Also:

H. 710. Relating to Montgomery County; to provide an additional expense allowance for the members of the Board of Education.

Also:

H. 738. Relating to Shelby County; providing for an increase in salary for the part-time bailiffs of said county.

Also:

H. 739. Relating to Shelby County; to provide for the mailing addresses of the grantors and grantees to appear on all conveyances of real property recorded in the probate office of such county.

Also:

H. 753. To levy additional county sales and use taxes in Pickens County for public school purposes in said county; to provide for the collection, distribution, and use of such taxes; to provide for the enforcement of the Act; to provide for severability; to provide the effective date hereof and for the substitution of the taxes levied hereby; and to prescribe penalties for violation of this Act.

Also:

H. 763. Relating to Montgomery County, Alabama; providing for an expense allowance for the tax assessor and tax collector; providing for the termination of such allowance; and establishing the effective date of this Act.

Also:

H. 766. Relating to Marion County; to provide further for the compensation of the employees of the sheriff's office.

Also:

H. 772. To provide for the minimum compensation for all deputy sheriffs in Calhoun County, Alabama.

Also:

H. 805. Relating to Russell County; repealing Act No. 436, H. 923, 1975 Regular Session (Acts 1975, p. 1048), which provides for the jurisdiction of the Inferior Court, the compensation of the judge and constables, and the duties of the clerk of said court.

Also:

H. 806. Relating to Russell County; repealing Act No. 502, H. 2087, 1971 Regular Session (Acts 1971, p. 1220), which is a population based bill that provides for the compensation of the judges, constables and clerks of the county.

Also:

H. 808. Relating to Jefferson County; providing further for an additional expense allowance of the tax assessor, payable from the general fund of the county; providing for retroactive effect and an expiration date.

Also:

H. 814. To amend Act No. 79-157, S. 222, 1979 Regular Session (Acts 1979, p. 256), which act establishes a policemen's and firemen's retirement fund for the City of Anniston, so as to empower the Board of Trustees with the authority to amend the benefit formula contained in said act; to empower the Board to employ the services of an actuary and to provide for the minimum qualifications of such actuary.

Also:

H. 689. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit organizations for charitable or educational purposes in Montgomery County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTIONS

Messrs. Hilliard and Parsons offered the following Senate Joint Resolution, to-wit:

S. J. R. 268. ENCOURAGING THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BIRMINGHAM TO USE ANY UNPLEDGED NEW MONEY COMING IN UNDER THE RECENTLY ENACTED LEVELIZED BEER TAX TO PAY CITY EMPLOYEE PAY RAISES AND LONGEVITY PAY.

WHEREAS, the employees of the City of Birmingham are in dire need of a pay raise and longevity pay provisions in their pay plan; and

WHEREAS, some new money will be coming into the city treasury of the City of Birmingham under the recently enacted levelized beer tax; and

WHEREAS, only a portion of this new money is pledged for the use of the city transit authority; and

WHEREAS, we wish to encourage the mayor and the city council to give serious consideration to using a portion of the unpledged new revenues to grant city employee pay raises and longevity pay; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do strongly urge and encourage the mayor and the city council of the City of Birmingham to use some of the revenue that will be coming into the city treasury under the recently enacted levelized beer tax to grant pay raises and longevity pay to city employees.

BE IT FURTHER RESOLVED, That the Secretary of the Senate send a copy of this resolution to the mayor and each member of the city council of the City of Birmingham, to the Birmingham News Media and the city employees' organization in Birmingham.

On motion of Mr. Hilliard, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Lemaster offered the following Senate Joint Resolution, to-wit:

S. J. R. 269. TO EXTEND THE LIFE OF THE JOINT INTERIM COMMITTEE TO STUDY NEW GUIDELINES OF THE FARMERS HOME ADMINISTRATION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the life of the Joint Interim Committee to Study New Guidelines of the Farmers Home Administration created by Act No. 81-1200, H. J. R. 56, of the Third Special Session of the Legislature, with all powers and duties conferred thereby, is hereby extended to November 30, 1982, for the purpose of studying the rules, regulations and guidelines of any lending institution that lends money to the farmer. The committee is hereby limited to a budget of \$7,500.00, and such sum or so much thereof as is necessary is hereby appropriated from legislative funds available for such purposes for the work of the committee.

On motion of Mr. Lemaster, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 196. To provide for a state income tax refund check-off designation for the support of nongame wildlife programs in Alabama.

was taken up.

On motion of Mr. deGraffenried, the Rules were suspended under the provisions of Senate Rule 14 (4), and he was granted permission to take up the Bill:

H. 73. To provide for a state income tax refund check-off designation for the support of nongame or game wildlife programs in Alabama.

in place of the consent Calendar Bill, S. B. 196.

Pursuant to Rule 14 (4), Mr. deGraffenried was granted permission to offer the following substitute for the Bill, H. B. 73, to-wit:

SUBSTITUTE FOR H. B. 73

A BILL TO BE ENTITLED AN ACT

To provide for a state income tax refund check-off designation for the support of nongame wildlife programs in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The legislature hereby declares that all vertebrate wildlife species not commonly pursued, killed, or consumed either for sport or profit, herein referred to as "nongame wildlife", have need of special protection and that it is in the public interest to preserve, protect, perpetuate, and enhance such nongame wildlife resources of this state through preservation of a satisfactory environment and an ecological balance. The legislature specifically declares that such "nongame wildlife" is under the jurisdiction of the Game and Fish Division of the Department of Conservation and Natural Resources, and that it is in the best interest of the citizens of Alabama to provide an additional means by which the management of such nongame wildlife may be financed through a voluntary check-off designation on state income tax return forms. The intent of the legislature is that this check-off program shall be supplemental to any funding, and in no way is intended to take the place of any funding, that would otherwise be appropriated for this purpose.

Section 2. (a) Each Alabama state individual income tax return form for the 1982 tax year and each year thereafter shall contain a designation as follows:

ALABAMA NONGAME WILDLIFE PROGRAM

Check () if you wish to designate \$1, \$5, \$10 or more of your state income tax refund for this program. If joint return, check () if spouse wishes to designate \$1, \$5, \$10 or more.

(b) Each individual taxpayer required to file a state income tax return pursuant to Title 40, Chapter 18 of the Code of Alabama 1975 desiring to contribute to the Alabama nongame wildlife program may designate, by placing an "X" in the appropriate box on the state income tax form, that such contribution shall be credited to said program.

Section 3. The Department of Revenue shall determine annually the total amount designated pursuant to section 2 of this act for the Alabama nongame wildlife program and shall deposit such amount, less costs of administration not to exceed ten percent of revenue produced, in the state treasury to the credit of the game and fish fund to be used exclusively for purposes of preserving, protecting, perpetuating and enhancing nongame wildlife in this state.

Section 4. The Commissioner of the Department of Revenue and the Commissioner of the Department of Conservation and Natural Resources are hereby authorized to prescribe and implement such forms, rules and regulations as shall be necessary to carry out the intent of this act. Nothing in this act shall be construed to give any rights of condemnation to the Department of Conservation and Natural Resources.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Kirkland	Mitchem	
Britnell	Harrison	Lemaster	Proctor	
Callahan	Higginbotham	Little	St. John	
Cook	Holmes	Martin	Taylor	
deGraffenried	Keener	Miller	Teague (B)	
Denton				—20

Nays: —0

And said Bill, H. B. 73, as thus amended by the substitute, was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Holmes	McDonald	Robertson
Bailey	Keener	Miller	St. John
Britnell	Kirkland	Mitchem	Taylor
deGraffenried	Lemaster	Parsons	Teague (B)
Denton	Little	Proctor	Vacca
Higginbotham	Martin		

—21

Nays: —0

On motion of Mr. deGraffenried, further consideration of the Bill, S. B. 196, was indefinitely postponed.

Mr. deGraffenreid requested and received permission to suspend the Rules and bring up the Bill:

H. 552. To authorize and provide for the incorporation by one or more counties or municipalities of the state of one or more health care authorities as public corporations to acquire, own and operate hospitals and other health care and related facilities within or without the boundaries of such counties or municipalities, or within or without the boundaries of the state; to provide for the making, filing, recording and amendment of the certificate of incorporation of each such authority; to provide for the government of each such authority by a board of directors and for the election, appointment, terms, compensation and removal of the members of such board of directors, and to provide for the holding of regular, special or other meetings of such board of directors without regard to the provisions of Section 13A-14-2 of the Code of Alabama 1975, as amended; to provide for the officers of such authority; to specify the general powers and duties of such authority and its board of directors; to empower such authority to acquire, operate, lease and manage hospitals and other types of health care facilities; to empower such authority to borrow money and to issue and sell interest-bearing securities and refunding securities, and to provide for the terms and conditions of the sale of such securities; to provide for the payment of and the security for such securities and for the use of the proceeds of such securities; to provide that such securities may be secured by a foreclosable mortgage on any health care facilities or other properties of such authority; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge made by such authority; to provide that such securities and other contracts entered into by such authority shall not constitute or create a debt of the state or any political subdivision thereof, and shall constitute negotiable instruments; to authorize the investment of certain funds of such authority; to provide for the creation of special reserves and other funds as may be necessary or desirable for the corporate purposes of such authority; to provide that the publication of a notice of the adoption of a resolution authorizing the issuance of securities by any such authority will establish a limited period after such publication within which must be commenced any action or proceeding questioning the validity of such securities or any instrument securing the same; to empower such authority to engage in anticompetitive activities within the contemplation of state and federal antitrust laws; to authorize such authority to make expenditures that would be considered ordinary and necessary expenses of such authority under state income tax law, subject to certain exceptions; to authorize investment by certain persons, corporations and political subdivisions in the securities of such authority; to exempt each such authority and the property, income, securities and

certain conveyances and documents thereof from all taxation by the state or any political subdivision thereof; to exempt the gross proceeds of sales of property used in the construction of health care facilities for an authority from all sales and similar excise taxes in the state, and to exempt such property from all use and similar excise taxes in the state; to exempt each such authority from all laws of the state governing usury or prescribing or limiting interest rates and, together with the officers, employees, and members of the board of directors thereof, from certain laws pertaining to competitive bidding; to authorize such authority, if its certificate of incorporation so provides, to exercise the same power of eminent domain as that appertaining to its authorizing subdivision or subdivisions, subject to certain exceptions; to authorize the designation of such authority as the agent of a county for certain public health purposes; to apply to such authority certain provisions of the Code of Alabama 1975, as amended, pertaining to tort claims and judgments against local governmental entities; to authorize, subject to certain conditions, such authority and any of its authorizing subdivisions to enter into leases covering projects of such authority and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by any such authorizing subdivision in any such lease shall be general obligations of such authorizing subdivision for which its full faith and credit may be pledged but shall be payable solely out of the current revenues of such authorizing subdivision for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize such authorizing subdivisions to make special pledges of certain revenues and taxes as security for rentals payable and agreements to be performed by it under such lease; to provide the priority of any such special pledges; to authorize political subdivisions, and certain public hospital corporations and public agencies, authorities or bodies to convey to any health care authority, with or without consideration, any health care facilities and other property owned by them; to specify the effect of such conveyance on certain permits then held by such corporations, agencies, authorities or bodies; to provide that such authority and the directors, officers and employees thereof shall not be subject to the provisions of Chapter 25 of Title 36 of the Code of Alabama 1975, as amended; to provide that, in the event of any transfer of a health care facility to any such authority, certain taxes, tax proceeds or other revenues shall thereafter be paid to such authority, subject to certain restrictions; to provide for the disposition of the earnings of any such authority, its dissolution and the disposition thereupon of its assets and properties; to provide that certain public hospital corporations and public agencies, authorities or bodies may reincorporate as health care authorities hereunder and to provide for certain consequences or effects of such reincorporation; and to provide that any law requiring attachment of fiscal notes to certain bills shall not apply to this act.

was taken up.

On motion of Mr. McDonald, further consideration of the Bill, H. B. 552, was postponed temporarily.

The Bill:

S. 471. To provide that the retirement income of military personnel shall be exempt from state, county and municipal income taxes the same as the exemptions provided for by sub-sections (a) (1) (2) (3) of Section 40-18-19 Code of Alabama 1975.

was taken up.

On motion of Mr. Miller, the Rules were suspended under the provisions of Senate Rule 14 (4), and he was granted permission to take up the Bill:

H. 70. To provide that certain retirement income of military personnel shall be exempt from state, county and municipal income taxes; to amend Section 40-18-20 of the Code of Alabama 1975, so as to increase the amount of retirement income that shall be exempt from taxation; to provide for different amounts of such exemption to become effective at subsequent dates.

in place of the Consent Calendar Bill, S. B. 471.

And said Bill, H. B. 70, was read a third time at length and passed.

Yeas 21; Nays 0.

Abstaining 2.

Yeas:

Messrs.:	Hall	McDonald	St. John
Bailey	Harrison	Miller	Smith
Britnell	Holmes	Mitchem	Teague (B)
Callahan	Kirkland	Proctor	Vacca
deGraffenried	Lemaster	Robertson	Weeks
Denton	Little		

—21

Nays: —0

Abstaining: Messrs. Higginbotham and Taylor. —2

On motion of Mr. Miller, further consideration of the Bill, S. B. 471, was indefinitely postponed.

REPORTS OF COMMITTEES

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Stewart and Zoghby (with notice and proof):

H. 822. Relating to Class 2 municipalities; providing for a retirement pension for certain elected public officials in such municipalities, the eligibility requirements for such pension and the amount, method; providing for payments from the general fund of such municipalities; and specifically repealing Act No. 432, S. 531 of the 1971 Regular Session (Acts 1971, p. 1159) and Act No. 682, H. 937, Regular Session 1967 (Acts 1967, p. 1508), which acts provide for a retirement pension for certain elected public officials of certain cities classified on a population basis.

By Rep. Reed (with notice and proof):

H. 781. To provide further for the compensation of the clerks in the tax assessor's office in Bullock County.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Reed (with notice and proof) (With Amendment):

H. 782. Relating to Bullock County; to provide for the election of the chairman of the county commission.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Reed (with notice and proof) (With Substitute):

H. 783. Relating to Bullock County; to provide further for the employees and their compensation in the office of the county tax collector.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Gilmer (with notice and proof):

H. 796. Relating to Lamar County; to provide that 10% of all funds accruing to Lamar County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

By Reps. Ward and Whatley (with notice and proof):

H. 799. Relating to local sales and use taxes in Lee County, Alabama, and amending Act No. 81-553 enacted at the 1981 Regular Session of the Legislature of Alabama so as to provide further for the levy and collection of the special county privilege, license and excise taxes authorized by said Act No. 81-553 to be levied and collected by Lee County, Alabama, for the administration of said Act No. 81-553, and for the use of the proceeds from said taxes; authorizing the governing body of Lee County, Alabama, to levy and collect special county privilege, license and excise taxes generally paralleling the state sales and use taxes levied by Act No. 81-665 enacted at the 1981 Regular Session of the Legislature of Alabama on sales of automobiles and other vehicles other than at wholesale by persons other than licensed dealers; providing for the collection of such taxes and the use of the proceeds therefrom; and repealing Act No. 81-918 enacted at the 1981 First Special Session of the Legislature of Alabama.

By Rep. Hines (with notice and proof):

H. 811. Relating to Escambia County; providing further for the expense allowance of the presiding circuit judge of the twenty-first judicial circuit.

By Rep. Hines (with notice and proof):

H. 812. Relating to Escambia County; amending Act No. 251, H. 979, 1976 Regular Session (Acts 1976, p. 287), so as to provide further for the compensation of the court reporter of the twenty-first judicial circuit.

By Rep. Reed (with notice and proof):

H. 816. Relating to Macon County; to amend Act 81-585, H. 1001, 1981 Regular Session, providing for a discretionary expense allowance for members of the board of registrars, so as to make said expense allowance mandatory.

By Reps. Goodwin, Coburn and Cobb (with notice and proof):

H. 820. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

By Reps. Goodwin, Coburn and Cobb:

H. 821. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

The above Bill was read a second time at length as required by the Constitution.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Starkey:

H. 50. To amend further Sections 37-2-41, 37-4-23 and 37-4-24 of the Code of Alabama 1975, relating to inspection and supervision fees paid by transportation companies and utilities so as to provide further for the mode and method of paying such fees and charges; to provide further for the recovery of delinquent fees and for collection of sums due.

By Rep. Clark (G):

H. 754. To establish a Public Defender Fund within the 24th Judicial Circuit and to provide funding for said Public Defender Fund.

By Reps. Lewis, Waggoner, Bennett and Amari:

H. 745. To amend Section 41-9-96, Code of Alabama 1975, which provides for the permit fees and taxation of boxing and wrestling matches, so as to alter the gross receipts tax on such matches.

By Rep. Owens:

H. 699. To amend Section 41-9-73 of the Code of Alabama 1975, as amended, relating to annual appropriations for the state board of adjustment so as to provide further for such appropriations.

By Reps. Carothers and Williams:

H. 107. To amend Section 6-5-332 of the Code of Alabama, 1975, so as to include educators in the exemptions from liability when rendering emergency care.

By Rep. Reed:

H. 320. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

By Rep. Sasser:

H. 240. To amend Act No. 81-965, the FY 82 Education Appropriation Act, to move \$735,521 from capital outlay to general operating and maintenance purposes.

Mr. Holmes, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Clark (W) (with notice and proof) (With Amendment):

H. 630. Relating to Mobile County; providing for an additional expense allowance for members of the county governing body.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that the following Bills have been placed on the Consent Calendar for today, to-wit:

By Mr. Little:

S. 441. To authorize voluntary income tax check-off for support of the arts; to establish the Arts Development Fund from the net proceeds generated from such contributions; to provide for the distribution of such funds to certain tax exempt organizations or associations which encourage the development of high quality and significant art and cultural activities or facilities; to prescribe certain responsibilities for the Commissioner of Revenue in collecting such funds and forwarding the proceeds to the State Treasurer for deposit in the general fund of the state treasury in a fund designated "Arts Development Fund"; to provide for continuous appropriations from such fund to the Council on the Arts and Humanities for the purposes of this act and Sections 41-9-40 through 41-9-47 of the Code of Alabama 1975, relating to the powers, duties and responsibilities of the said council; to prescribe the substantial content for tax returns to provide for such contributions; to provide that such funds shall be supplemental and shall not be construed to be in lieu of annual appropriations; and to provide for an effective date.

By Rep. Venable:

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state at least 120 days prior to any such general election a list of the signatures of at least one percent of the electors of the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirements of federal, state or local laws.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 24. To require that persons who transport children under the age of four use a passenger restraint system in certain instances; to provide penalties for violation of the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vacca, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 24, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 24

A BILL
TO BE ENTITLED
AN ACT

To require that persons who transport children under the age of three use a passenger restraint system in certain instances; to provide penalties for violation of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. Every person transporting a child under the age of three (3) years in a motor vehicle registered in this state and operated on the roadways, streets, or highways of this state, shall provide for the protection of the child by properly using a child passenger restraint system meeting applicable federal motor vehicle safety standards. Provided that in no event shall failure to wear a child passenger restraint system be considered as contributory negligence.

Provided that the term "motor vehicle" as used in this act shall not apply to trucks or buses having tonnage rating of one ton or more.

Section 2. No provision of this act shall be construed as creating any duty, standard of care, right, or liability between parent and child that is not recognized under the laws of the State of Alabama as they presently exist, or may, at any time in the future, be constituted by statute or decision.

Section 3. Any person violating the provisions of this act may be fined not more than ten dollars (\$10.00) for each offense.

Section 4. The provisions of this Act notwithstanding, nothing contained herein shall be deemed a violation of any law which would otherwise nullify or change in any way the provisions or coverage of any insurance contract.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not render the entire Act invalid.

Section 7. This Act shall become effective within sixty days after its passage and approval by the Governor.

Yeas 16; Nays 1.

Yecs:

Messrs.:	Higginbotham	McDonald	Taylor
Britnell	Holmes	Miller	Teague (B)
Cook	Kirkland	Robertson	Vacca
Denton	Lemaster	St. John	Weeks
Hall			

Nay: Mr. Little.

—1

BILLS ON THIRD READING RESUMED

The Bill:

S. 380. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

was taken up.

On motion of Mr. Taylor, further consideration of the Bill, S. B. 380, was postponed temporarily.

The Bill:

S. 441. To authorize voluntary income tax check-off for support of the arts; to establish the Arts Development Fund from the net proceeds generated from such contributions; to provide for the distribution of such funds to certain tax exempt organizations or associations which encourage the development of high quality and significant art and cultural activities or facilities; to prescribe certain responsibilities for the Commissioner of Revenue in collecting such funds and forwarding the proceeds to the State Treasurer for deposit in the general fund of the state treasury in a fund designated "Arts Development Fund"; to provide for continuous appropriations from such fund to the Council on the Arts and Humanities for the purposes of this act and Sections 41-9-40 through 41-9-47 of the Code of Alabama 1975, relating to the powers, duties and responsibilities of the said council; to prescribe the substantial content for tax returns to provide for such contributions; to provide that such funds shall be supplemental and shall not be construed to be in lieu of annual appropriations; and to provide for an effective date.

was taken up.

On motion of Mr. Little, the Rules were suspended under the provisions of Senate Rule 14 (4), and he was granted permission to take up the Bill:

H. 509. To authorize voluntary income tax check-off for support of the arts; to establish the Arts Development Fund from the net proceeds generated from such contributions; to provide for the distribution of such funds to certain tax exempt organizations or associations which encourage the development of high quality and significant art and cultural activities or facilities; to prescribe certain responsibilities for the Commissioner of Revenue in collecting such funds and forwarding the proceeds to the State Treasurer for deposit in the general fund of the state treasury in a fund designated "Arts Development Fund"; to provide for continuous appropriations from such fund to the Council on the Arts and Humanities for the purposes of this act and Sections 41-9-40 through 41-9-47 of the Code of Alabama 1975, relating to the powers, duties and responsibilities of the said council; to prescribe the substantial content for tax returns to provide for such contributions; to provide that such funds shall be supplemental and shall not be construed to be in lieu of annual appropriations; and to provide for an effective date.

in place of the Consent Calendar Bill, S. B. 441.

And said Bill, H. B. 509, was read a third time at length and passed.

Yeas 19; Nays 1.

Yeas:

Messrs.:	Keener	Mitchem	Taylor
Bailey	Kirkland	Proctor	Teague
Britnell	Little	Robertson	Vacca
Denton	Martin	St. John	Weeks
Hall	McDonald	Smith	
Holmes			—19

Nay: Mr. Lemaster. —1

On motion of Mr. Little, further consideration of the Bill, S. B. 441, was indefinitely postponed.

Mr. Keener requested and received permission to suspend the Rules and bring up the Bill:

H. 668. Relative to Class 4, 5, 7 and 8 municipalities, to amend Section 9 of Act No. 79-722 to provide for the sale or lease of municipal property not needed for municipal or public purposes for use by a commercial enterprise in furnishing hotel services.

was taken up.

Mr. Keener offered the following substitute for the Bill, H. B. 668, to-wit:

SUBSTITUTE FOR H. B. 668

A BILL TO BE ENTITLED AN ACT

Relative to Class 4, 5, 6, 7 and 8 municipalities, to amend Section 9 of Act No. 79-722, as heretofore amended by Act No. 80-315, to provide for the sale or for fair market value or lease for fair market rental of municipal property not needed for municipal or public purposes for use by a commercial enterprise in furnishing hotel services.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 79-722 as heretofore amended by Act No. 80-315, is amended to read as follows:

Section 9. NO CONTRIBUTION BY MUNICIPALITY. No municipality shall have the power to pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and shall not have the power to use land already owned by the municipality, or in which the municipality has an equity, for construction thereon of a project or any part thereof; provided, however, that municipal property which is not needed for public or municipal purposes may be sold for fair market value or leased for fair market rental for a project; such fair market values to be conclusively determined by the governing body of the municipality. The entire cost of acquiring any project must be paid out of the proceeds from the sale of bonds issued under the authority of this act; provided, however, that this provision shall not be construed to prevent a municipality from accepting donations of property to be used as a part of any project or money to be used for defraying any part of the cost of any project.

Section 2. If any section, clause, provision or portion of this act shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause or provision of this act which is not in and of itself invalid or unconstitutional.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 14; Nays 0.

Yeas:

Messrs.:	Keener	Mitchem	Teague (B)	
Hall	Kirkland	Proctor	Teague (J)	
Harrison	Lemaster	St. John	Weeks	
Holmes	Little	Smith		—14

Nays: —0

RESOLUTIONS

Mr. Gullledge offered the following Senate Resolutions, to-wit:

S. R. 270. COMMENDING AND CONGRATULATING THE BAYSIDE ACADEMY OF DAPHNE, ALABAMA.

Also:

S. R. 271. COMMENDING MRS. ERIE MEYER OF GULF SHORES, ALABAMA.

Which were adopted.

Mr. Little offered the following Senate Resolution, to-wit:

S. R. 272. COMMENDING MR. LUTHER M. YOUNG OF AUBURN, ALABAMA, FOR HIS CONTRIBUTION TO AUBURN UNIVERSITY'S TENNIS PROGRAM.

Which was adopted.

Mr. Weeks offered the following Senate Resolution, to-wit:

S. R. 273. COMMENDING MR. MARK HOLLAND OF TROY, ALABAMA.

Which was adopted.

Mr. Gullledge offered the following Senate Resolution, to-wit:

S. R. 274. COMMENDING MR. RAY COAKER OF FRUITDALE, ALABAMA, ON OUTSTANDING PUBLIC SERVICE.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 668

The Senate proceeded to further consideration of the Bill, H. B. 668, as amended.

On motion of Mr. Keener, further consideration of the Bill, H. B. 668, was postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 189. Relating to the rules of the road; prescribing a certain fine for certain speeding violations on interstate highways and prohibiting such violations from being recorded on driving records.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cook, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 189, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 189

A BILL
TO BE ENTITLED
AN ACT

Relating to the rules of the road; prescribing a limitation on the fine for certain speeding violations on interstate highways; and exempting such offenses from any docket or court costs which might otherwise be prescribed; and prohibiting such violations from being recorded on driving records.

Be It Enacted by the Legislature of Alabama:

Section 1. All laws to the contrary notwithstanding, whenever a motorist is charged and convicted for operating an automobile or any passenger vehicle of 12,000 pounds and under, including pick-up trucks, in excess of the speed limit on an interstate highway within this state, and such violation occurs at a speed which is not in excess of seventy (70) miles per hour, he shall not be fined more than Five Dollars (\$5.00). Neither the docket fee prescribed in Section 12-19-171, or any other cost or charge of court, whether presently in effect or hereafter enacted, shall apply to any conviction for which the limitations herein prescribed shall apply, unless such law specifically provides otherwise; and such convictions shall not become part of the motorist's driving record.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 13; Nays 7.

Yeas:

Messrs.:	Holmes	Martin	Vacca	
Cook	Keener	Miller	Weeks	
Hall	Kirkland	Teague (J)	White	—13
Higginbotham	Lemaster			

*Nays:*Messrs.
BaileyDenton
LittleMitchem
RobertsonSt. John
Smith

—7

FURTHER CONSIDERATION OF H. B. 668

The Senate proceeded to further consideration of the Bill, H. B. 668, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 544. Relating to Montgomery County; providing further for the salary of the district judges, effective upon the next term of office.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 769. Relating to Mobile County and the members of the board of registrars; providing for the meeting locations for voter registration and voter reidentification; and repealing the following acts relating to the Mobile County Board of Registrars: Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

Also:

H. 773. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Loxley in Baldwin County.

Also:

H. J. R. 383. NAMING OF A NEW BOAT RAMP IN MT. VERNON, ALABAMA AFTER REPRESENTATIVE J. E. TURNER.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and House Joint Resolution the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 523. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses and other payments.

Also:

H. 544. Relating to Montgomery County; providing further for the salary of the district judges, effective upon the next term of office.

Also:

H. 663. To amend portions of the Alabama Unemployment Compensation Act contained in Sections 25-4-75 and 25-4-140, Code of Alabama 1975, as last amended, so as to comply with the mandatory provisions of Public Law 97-35, relating to unemployment compensation; the extended benefit program; to permit assignment of benefits in connection with child support obligation and to provide for the deduction of, and subsequent payment to state and local child support enforcement agencies, amounts authorized by an agreement by an obligee or upon order of a court and to correct an error incorporated in Act 81-424, Regular Session, 1981, amending Section 25-4-75.

Also:

H. 673. To amend section 25-4-16, 25-4-77, 25-4-78, 25-4-94, and 25-4-118, Code of Alabama 1975, as last amended, so as to include amounts of the employee's portion of state unemployment and federal social security contributions paid by the employer without deduction from the employee's pay as "wages"; to permit receipt of benefits while attending training approved under the provisions of the Trade Readjustment Act of 1974 or, under certain criteria, leaving a job to enter such training; to remove "seeking a pension" as a cause for disqualification and permit fifty (50) percent reduction of social security or railroad retirement pension payments prior to deduction from benefits; to authorize release of information on wages, employment, benefits and location of individuals to child support agencies and to public and law enforcement officials in the performance of their official duties and provide penalties for misuse thereof; to make other such amendments as are necessary to meet mandatory federal conformity provisions; to make minor administrative changes and to set the effective date for the provisions of this act.

Also:

H. 665. To provide a more effective means of enforcing child support obligations by providing for withholding, under certain circumstances, of amounts from the obligee's unemployment compensation of entitlement; for the forwarding of such amounts to the child support enforcement agency; to establish the required procedures and to provide for the payment of reasonable administrative costs in connection therewith by the child support agency.

Also:

H. 712. Relating to Madison County; providing expense allowances for certain county officials.

Also:

H. 727. Relating to Mobile County and the members of the board of registrars; providing for the meeting dates for voter registration and voter reidentification, transportation and expense allowances for said members, and specifically repealing the following acts, all relating to meeting dates and expense allowances applicable to Mobile County Board of Registrars: Act No. 614, H. 1180, 1961 Regular Session (Acts 1961, p. 730); Act No. 113, H. 126, 1964 First Special Session (Acts 1964, p. 173); Act No. 122, S. 100, 1972 Regular Session (Acts 1972, p. 4363); Act No. 885, S. 697, 1978 Regular Session (Acts 1978, p. 1313); Act No. 79-734, 1979 Regular Session (Acts 1979, p. 1305); and repealing all laws or parts of laws in conflict with the provisions of this act.

Also:

H. 749. Relating to Madison County; authorizing the sheriff to charge a fee for fingerprinting certain persons; and providing for the distribution and auditing of such fees.

Also:

H. 750. Relating to Madison County; authorizing the sheriff to operate a jail store; and providing for the distribution and auditing of moneys earned.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read a length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 668

The Senate proceeded to further consideration of the Bill, H. B. 668, as amended.

Mr. Hilliard offered the following amendment to the Bill, H. B. 668, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 668, AS AMENDED

Amend House Bill No. 668, Page 1, Line 8, by inserting after the word Class, the figure "1,"

Which was adopted.

Yeas 7; Nays 0.

Yeas:

Messrs.:
Bailey

Hall
Hilliard

Little
Miller

Smith
White

REGULAR SESSION
29th Day

1621

Nays: —0

And said Bill, H. B. 668, as amended by the substitute, as amended, was read a third time at length and passed.

Yeas 17; Nays 0.

Yeas:

Messrs.:	Keener	Miller	Teague (B)
Bailey	Kirkland	Mitchem	Teague (J)
deGraffenried	Lemaster	St. John	Vacca
Hall	Little	Smith	White
Hilliard	Martin		

—17

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

FURTHER CONSIDERATION OF H. B. 552

The Senate proceeded to further consideration of the Bill, H. B. 552.

And said Bill, H. B. 552, was read a third time at length and passed.

Yeas 13; Nays 2.

Yeas:

Messrs.:	Higginbotham	Miller	Vacca
Bailey	Kirkland	Mitchem	Weeks
Denton	Martin	St. John	White
Hall	McDonald		

—13

Nays: Messrs.: Holmes and Little. —2

The President and Presiding Officer of the Senate declared a quorum present but not voting.

BILLS ON THIRD READING RESUMED

The Bill:

H. 585. To make a conditional appropriation to the Board of Corrections for the fiscal year ending September 30, 1982.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Figures	Miller	Teague (B)
Bailey	Holmes	Mitchem	Teague (J)
Callahan	Kirkland	Parsons	Vacca
Cook	Lemaster	Pearson	Weeks
Denton	Martin	St. John	White

—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 261. HONORING MR. GEORGE G. McFADEN.

Also:

S. J. R. 262. COMMENDING PATRICIA ANN ELLIOTT UPON HER RECENT RETIREMENT AS DISTRICT DIRECTOR OF THE ALABAMA LUNG ASSOCIATION.

Also:

S. J. R. 263. CONGRATULATING DEAN TRUMAN M. PIERCE ON HIS ACHIEVEMENTS AND CONTRIBUTIONS TO TEACHER EDUCATION.

Also:

S. J. R. 264. COMMENDING MR. CURTIS McMAHAN FOR HIS EFFORTS IN ORGANIZING THE HOKES BLUFF FIRE DEPARTMENT.

Also:

S. J. R. 265. COMMENDING REPRESENTATIVE BROOKS HINES OF BREWTON, ESCAMBIA COUNTY, ALABAMA.

Also:

S. J. R. 266. COMMENDING MRS. PENNIE BUCKELEW FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 307. To amend Section 40-23-1, Alabama Code, 1975, as amended, so as to provide that the dispensing or transferring of ophthalmic materials to a patient by licensed ophthalmologists or optometrists as part of their professional service, shall not be considered a sale subject to the state sales tax; to place the responsibility for collecting the sales tax on the transfer of ophthalmic materials on the supplier of such materials to licensed ophthalmologists and optometrists; and to provide that in limited circumstances, the transfer of ophthalmic materials by opticians shall not be considered a sale subject to the state sales tax.

by a majority of those voting, said vote being Yeas 48, Nays 0.

And said Bill S. B. 307, as amended by the Executive amendment, was again read at length and passed by a majority of those voting said vote being Yeas 48, Nays 0.

And said Bill S. B. 307, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 129. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Licensing Board For General Contractors as provided in Section 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-4 so as to: delete the requirement that at least 80 percent of the first job of a newly licensed contractor be satisfactorily performed before performing work beyond that contract; change the time within which charges must be heard and to change the place of the hearing.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 254. COMMENDING CHIEF RAY BARNES AND THE DOTHAN FIRE DEPARTMENT.

Also:

S. J. R. 255. DESIGNATING APRIL 26, 1982, AS NATIONAL FOOTBALL FOUNDATION SCHOLAR-ATHLETE DAY IN ALABAMA.

Also:

S. J. R. 258. COMMENDING THE LIVINGSTON UNIVERSITY LADY TIGERS BASKETBALL TEAM FOR WINNING THEIR SECOND CONSECUTIVE AIAA SOUTHERN DIVISION CHAMPIONSHIP.

Also:

S. J. R. 259. COMMENDING THE AUBURN UNIVERSITY WOMEN'S SWIM TEAM ON ITS RECENT PERFORMANCE AT THE N.C.A.A. CHAMPIONSHIPS.

Also:

S. J. R. 260. COMMENDING AUBURN UNIVERSITY WOMEN'S BASKETBALL TEAM ON ITS EXCELLENT SEASON.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 288. To amend Section 27-7-11, Code of Alabama 1975, which provides for the contents and conducting of licensing examinations for property, casualty and surety insurance representatives, so as to provide further for said examinations and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 598. Relating to Mobile County; providing that the board of registrars shall appoint one or more deputy registrars for each municipality to take applications for voter registration one day each week.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Reps. Stewart, Clark (W) and Bedsole.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Callahan, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 598, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Smith
Bailey	Hilliard	Miller	Taylor
Callahan	Keener	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Vacca
Figures	Lemaster	Proctor	Weeks
Gulledge	Little	St. John	White
Harrison	Martin		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs. Callahan, Figures, and Gulledge.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 597. Relating to Mobile County and specifically to the Mobile Board of School Commissioners and all full-time employees of the Board requiring use of funds from certain portions of revenue received from ad valorem taxes.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Reps. Harper (T), Buskey and Zoghby.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Callahan, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 597, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	Miller	Smith
Bailey	Holmes	Mitchem	Teague (B)
Callahan	Keener	Parsons	Teague (J)
deGraffenried	Kirkland	Pearson	Vacca
Figures	Lemaster	Proctor	Weeks
Gulledge	Little	St. John	White
Hall	Martin		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs. Callahan, Figures, and Gulledge.

BILLS ON THIRD READING RESUMED

Mr. Martin requested and received permission to suspend the Rules to bring up the Bill:

H. 300. To provide for the participation by the State of Alabama in the Southeast Interstate Low-Level Radioactive Waste Compact; to provide for the designation of this state's members on the Southeast Interstate Low-Level Radioactive Waste Commission; to provide for the acquisition of property and the operation of a treatment, storage or disposal site; to require a faithful performance bond in the amount of \$2,000,000; to create a Radiation Safety Fund; to provide for the collection of fees; appropriates \$25,000 from the general fund to the Southeastern Low-Level Radioactive Waste Commission; and provides penalties for violations.

And said Bill, H. B. 300, was read a third time at length and passed.

Yeas 17; Nays 0.

Yeas:

Messrs.:	Holmes	Miller	Robertson	
Bailey	Kirkland	Mitchem	Teague (B)	
Britnell	Lemaster	Parsons	Teague (J)	
Gulledge	Martin	Proctor	Vacca	
Higginbotham	McDonald			—17

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

Mr. Higginbotham requested and received permission to suspend the Rules to bring up the Bill:

H. 108. To amend Section 16-25-3, Code of Alabama 1975, to provide for the reopening of the teacher's retirement system so as to allow certain members to repay on or before the date of their retirement, any contributions previously withdrawn plus interest.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 108, to-wit:

COMMITTEE SUBSTITUTE FOR HOUSE BILL 108

A BILL TO BE ENTITLED AN ACT

To amend Code of Alabama 1975, Section 16-25-11, which relates to the Teachers' Retirement System; and Section 36-27-11 which relates to the Employees' Retirement System amending said sections so as to extend the period of eligibility for purchasing credit for previously withdrawn service; to provide a period of one year after October 1, 1982, for retired members to purchase credit for service previously withdrawn or terminated due to five years absence from service.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1975, Section 16-25-11, as amended, is hereby further amended to read as follows:

"§16-25-11. Creditable Service."

"(a) Under such rules and regulations as the board of control shall adopt, each person who was a teacher prior to October 1, 1940, and who under the provisions of this chapter makes up contributions plus 8% compound interest on such contributions for the time said teacher taught as a non-member and who becomes a member prior to October 1, 1974, shall file a detailed statement of all service as a teacher rendered by him prior to October 1, 1940, for which he claims credit. The board of control shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall it allow any credit for a period of absence without pay for more than one month's duration, nor shall more than one year of service be creditable for all service in one calendar year. Service rendered for a regular school year shall be equivalent to one year's service. Subject to the above restrictions and to such other rules and regulations as the board of control may adopt, the board of control shall

verify, as soon as practicable after the filing of such statements of service, the service therein claimed. Upon verification of the statements of service, the board of control shall issue prior service certificates certifying to each member the length of service rendered prior to October 1, 1940, with which he is credited on the basis of his statement of service. Any prior service certificate heretofore issued not providing for the maximum prior service to which the member is entitled shall be revised to include such credit. So long as membership continues, a prior service certificate shall be final and conclusive for retirement purposes as to such service, provided, that any member may request the board of control to modify or correct his prior service certificate. When membership ceases, a prior service certificate shall become void. Should a teacher again become a member, he shall enter the system as a teacher not entitled to prior service credit. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of the membership service rendered by him since he last became a member and also, if he has a prior service certificate, which is in full force and effect, the amount of the service certified on his prior service certificate."

"(b) Any teacher, or retired teacher, who became a member of the retirement system before July 1, 1973, and who prior to said date had been ineligible to receive credit for services rendered as a teacher prior to September 1, 1941, for reasons other than having taught as a nonmember shall be eligible under the rules and regulations adopted by the board of control in accordance with the provisions of this chapter to receive credit for all service as a teacher rendered by him prior to October 1, 1940; provided, that such person has never waived his claim on the funds of the retirement system by withdrawing his accumulated contributions to said fund; and provided, that said member has not been absent from service more than five years in any period of six consecutive years after becoming a member of the retirement system."

"(c) Any teacher who was a member of the Teachers' Retirement System as of September 9, 1955 shall be eligible to receive credit for service rendered as a state employee on a full time basis prior to October 1, 1945, under such rules and regulations as may be adopted by the board of control in accordance with the provisions of this chapter."

"(d) Anything in this chapter to the contrary notwithstanding, any teacher who is now a member of the teachers' retirement system or who becomes a member of the teachers' retirement system at a future date, who had previously withdrawn his funds from either the teachers' retirement system or the employees' retirement system or whose account had been terminated due to a five years absence shall have restored to him all creditable service, provided, that said teacher repays to the treasurer of the retirement system the amount previously returned to him including compounded interest of eight percent to the date of repayment, within eight months after completion of five years of contributing membership service or, if such teacher has already completed five years of contributing membership service on October 1, 1965, then within one year after such date prior to the date of retirement of said member."

"(e) Anything in this chapter to the contrary notwithstanding any teacher who has been retired from service and who is now receiving a service retirement allowance or a disability retirement allowance, pursuant to section 16-25-14, who had five years or more of contributing membership service in the teachers' retirement system immediately prior to being retired and who had previously withdrawn his funds either from the teachers' retirement system or the employees' retirement system or whose account had been

terminated due to five years' absence shall have restored to him all creditable service; provided, that said retired teacher pays to the treasurer of the retirement system within one year after October 1, 1965 October 1, 1982, the amount previously returned to him including compound interest of eight percent to the date of repayment."

Section 2. Code of Alabama 1975, Section 36-27-11, as amended, is hereby further amended to read as follows:

"§36-27-11. Determination of prior creditable service; computation of creditable service at retirement; procedure for restoration of creditable service to certain persons; payment of make up contributions by certain persons."

"(a) Under such rules and regulations as the board of control shall adopt, each member who was an employee prior to October 1, 1945, and who has made up contributions for time served as a nonmember and who becomes a member prior to September 1, 1966, shall file a detailed statement of all service as an employee rendered by him prior to October 1, 1945, for which he claims credit."

"(b) The board of control shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall it allow any credit for a period of absence without pay of more than one month's duration, nor shall more than one year of service be creditable for all service in one calendar year."

"(c) Subject to the restrictions in subsection (b) of this section and to such other rules and regulations as the board of control may adopt, the board of control shall verify, as soon as practicable after the filing of the statements of service provided for in subsection (a) of this section, the service therein claimed."

"(d) Upon verification of the statements of service, the board of control shall issue prior service certificates certifying to each member the length of service rendered prior to October 1, 1945, with which he is credited on the basis of his statement of service. Any beneficiary retired prior to October 1, 1945, and any other person receiving a retirement allowance on account of a beneficiary retired prior to said date shall be entitled on and after said date to have his pension increased to take account of any service rendered as an employee established under the provisions of this article. So long as membership continues, a prior service certificate shall be final and conclusive for retirement purposes as to such service; provided, however, that any member may, within one year from the date of issuance or modification of such certificate, request the board of control to modify or correct his prior service certificate. When membership ceases, such prior service certificate shall become void. Should the employee again become a member, he shall enter the system as an employee not entitled to prior service credit."

"(e) Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of the membership service rendered by him since he last became a member, and also, if he has a prior service certificate which is in full force and effect, the amount of the service certified on his prior service certificate."

"(f) Any person who was a member of the retirement system on July 1, 1961, and who prior to said date had been ineligible to receive credit for service rendered as an employee prior to October 1, 1945, for reasons other than having been employed as a nonmember shall be eligible under the

provisions of this article to receive credit for all service as an employee rendered by him prior to October 1, 1945; provided, that such person has never waived his claim on the funds of the retirement system by withdrawing his accumulated contributions to said funds and has not been absent from service more than five years in any period of six consecutive years after becoming a member of the retirement system."

"(g) Any member entitled to prior service credit as provided in this section who served as a teacher in the public schools or colleges of the state on a full-time basis prior to October 1, 1945, may claim prior service credit for all such service not otherwise creditable to him under the retirement system, such service, anything in this chapter to the contrary notwithstanding, to be considered service as an employee. Such claim shall be subject to such rules and regulations as the board of control shall adopt."

"(h) Anything in this article to the contrary notwithstanding, any employee who was a member of the retirement system as of August 2, 1957, or who becomes any future employee who becomes a member of the retirement system who shall have previously withdrawn his funds from either the employees' retirement system or the teachers' retirement system or whose account shall have been terminated due to five years absence shall have restored to him all creditable service; provided, that said employee shall complete five years of contributing membership service after he again becomes a member of the retirement system and shall repay the amount previously returned to him, including regular compounded interest of eight percent to the date of repayment, to the treasurer of the retirement system within eight months after completion of five years of contributing membership service or, if such employee has already completed five years of contributing membership service as of August 2, 1957, then within eight months after said date prior to the date of retirement of said employee."

"(i) Anything in this article to the contrary notwithstanding, any employee who has been retired from service and who has been receiving a service retirement allowance or a disability retirement allowance, as of August 10, 1965 October 1, 1981, pursuant to section 36-27-16; who had five years or more of contributing membership service in the employees' retirement system immediately prior to being retired and who had previously withdrawn his funds from either the teachers' retirement system or the employees' retirement system or whose account had been terminated due to five years absence, shall have restored to him all credited service; provided that said retired member shall repay to the treasurer of the retirement system within eight months one year after August 10, 1965 October 1, 1982, the amount previously returned to him including regular compounded interest of eight percent to the date of repayment."

"(j) Anything in this article to the contrary notwithstanding, any member who has served as a county engineer shall be allowed to make contributions to the retirement system, together with regular interest to date of payment, on the basis of the amount he would have contributed had he as a county engineer been allowed to contribute on that part of his salary paid by the state highway department. Such makeup contribution shall be for service from October 1, 1945, to September 30, 1965, and shall be paid in a lump sum before January 1, 1966, whereupon after payment is received the member shall be credited with membership service based on the percentage of the salary as county engineer which was paid by said highway department funds."

"(k) Any member who was in service as a teacher in the public schools of Alabama subsequent to October 1, 1945, who resigned from service as a

teacher to become employed by the state as a department head authorized to exercise sovereign power of the state may be allowed to make contributions to the retirement system, together with regular interest to date of payment, on the basis of the amount he would have contributed had he been allowed to become a member of the system upon such employment. Such make-up contributions shall be paid in a lump sum before January 1, 1966."

Section 3. In the event that any section, sentence, clause, or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining sections, sentences, clauses, or portions of this Act, which shall continue effective.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective October 1, 1981, upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Denton	Little	Proctor	
Bailey	Higginbotham	Martin	Robertson	
Britnell	Holmes	McDonald	St. John	
Callahan	Kirkland	Miller	Teague (B)	
Cook	Lemaster	Mitchem		—18

Nays: —0

And said Bill, H. B. 108, as thus amended by the substitute, was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Britnell	Kirkland	Mitchem	Teague (B)	
Callahan	Lemaster	Parsons	Teague (J)	
Cook	Little	Proctor	Weeks	
Denton	Martin	Robertson		—22

Nays: —0

The Bill:

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state at least 120 days prior to any such general election a list of the signatures of at least one percent of the electors of the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirements of federal, state or local laws.

was taken up.

Pursuant to Rule 14 (4), on motion of Mr. Martin, the Rules were suspended and he offered the following amendment to the Bill, H. B. 278, to-wit:

AMENDMENT TO H. 278

In the synopsis strike the following words on Line 14: least 120 days before the election and add in lieu thereof the following: the same time set by law for candidates in primary elections to qualify.

Further amend H. 278 on Line 27, Page 1, by striking least 120 days prior to any such general election and add in lieu thereof: the same time set by law in Section 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify.

Further amend H. 278 on Line 6, Page 2, by striking least 120 days prior to any such general election and insert in lieu thereof: the same time set by law in Section 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Little	Parsons
Britnell	Higginbotham	Martin	Smith
Callahan	Holmes	McDonald	Teague (J)
Cook	Kirkland	Miller	Weeks
Denton	Lemaster	Mitchem	—18

Nays: —0

And said Bill, H. B. 278, as thus amended, was read a third time at length and passed.

Yeas 16; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	Proctor
Britnell	Kirkland	Miller	Smith
Callahan	Lemaster	Mitchem	Teague (J)
Cook	Little	Parsons	Weeks
Denton			—16

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 358. To amend Section 41-9-680, Code of Alabama 1975, relating to the Music Hall of Fame Board, so as to alter the board's composition.

Also:

S. 302. To propose a constitutional amendment amending subsection 6.09 (d) of Article VI, Constitution of Alabama of 1901, as amended by

Constitutional Amendment No. 328, relating to judicial compensation so as to provide that the recommendations of the judicial compensation commission shall become law upon confirmation by a joint resolution.

Also:

S. 423. To amend Section 12-17-30 of the Code of Alabama 1975 relating to salaries and local salary supplements, so as to prescribe a maximum for local supplements; and to provide exceptions thereto.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Kirkland offered the following Senate Joint Resolution, to-wit:

S. J. R. 275. COMMENDING HOUSE SPEAKER JOSEPH C. MCCORQUODALE, JR., FOR DISTINGUISHED SERVICE TO THE LEGISLATURE AND TO THE STATE OF ALABAMA.

WHEREAS, the Honorable Joseph Charles McCorquodale, Jr., has served the State of Alabama as a member, and for the past two terms as Speaker, of the Alabama House of Representatives since his first election to the 1959-63 term, and through subsequent re-election for five additional terms and 24 years of contributory achievement on behalf of our state; and

WHEREAS, it is the consensus of this membership that Speaker McCorquodale has helped guide the State of Alabama in competent leadership toward a common goal of positive progress in all areas; and

WHEREAS, a member of the Alabama Academy of Honor and the recipient of an inordinate number of other awards, Mr. McCorquodale is truly a distinguished first citizen of Alabama who has devoted his life to the good of his state, dedicated himself to its advancement and never once wavered in his pursuit of responsible government for the citizens of Alabama; and

WHEREAS, he is a graduate of Marion Military Institute and the University of Alabama, a combat veteran of World War II, member of the Methodist Church and a civic and community leader in his home town of Jackson and Clarke County as well as statewide; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are both privileged and honored to commend our friend and colleague, Joseph C. McCorquodale, Jr., and to further acknowledge a debt of gratitude on behalf of the citizens of Alabama for his outstanding service for 24 years in the Alabama House of Representatives.

BE IT FURTHER RESOLVED, That Speaker McCorquodale be presented with a copy of this resolution, tendered in friendship and in warm personal regard.

On motion of Mr. Kirkland, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 432. To amend Section 40-17-38 of the Code of Alabama 1975, relating to discounts to distributors of gasoline, so as to provide further for certain discounts for volume losses of gasoline resulting from evaporation shrinkage.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teague (J), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 432, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 432

Amend Senate Bill 432 on page 2, Section 1 by deleting lines 14 through 30 and inserting in lieu thereof the following:

"The commissioner of the department of revenue shall allow distributors or wholesalers, as defined in Section 40-17-30, who have been licensed by the department of revenue under the provisions of Section 40-12-191, and who have made bond, as required in Section 40-12-194, and who remit their state gasoline taxes based on receipts, a discount in an amount equal to two percent (2%) of all amounts of gasoline taxes paid under the provisions of Section 40-17-31, as amended, and Section 40-17-220, as amended, the amount of said discount, which shall not exceed \$500.00 per month, being for purpose of partially defraying the cost of losses in volume due to the evaporation shrinkage incurred in the handling of gasoline by such licensed and bonded distributors or wholesalers as defined in this article. The commissioner of revenue is authorized and directed to promulgate reasonable rules and regulations to effectuate the purposes of this section."

HOUSE AMENDMENT TO S. B. 432

Amend S. B. 432 on page 2, Section 1, lines 14 through 29 by deleting said language and substituting in lieu thereof the following:

"The commissioner of the department of revenue shall allow distributors or wholesalers, as defined in Section 40-17-30, who have been licensed by the department of revenue under the provisions of Section 40-12-191, and who have made bond, as required in Section 40-12-194, and who remit their state gasoline taxes based on receipts, a discount in an amount equal to two percent (2%) of all amounts of gasoline taxes paid under the provisions of Section 40-17-31, as amended, and Section 40-17-220, as amended, the amount of said discount being for the purpose of partially defraying the cost of losses in volume due to the evaporation shrinkage incurred in the handling of gasoline by such licensed and bonded distributors or wholesalers as defined in this article. The commissioner of revenue is authorized and directed to promulgate reasonable rules and regulations to effectuate the purposes of this section."

Yeas 17; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Robertson
Bailey	Higginbotham	Mitchem	Smith
Britnell	Holmes	Parsons	Taylor
Callahan	Lemaster	Proctor	Teague (J)
Denton	McDonald		

—17

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 41. To declare as facts and state legislative intent that certain real property located in the city of Selma, Dallas County, Alabama, has been acquired by The Board of Trustees of the University of Alabama with funds appropriated to the University for the Selma Family Practice Center and funds generated by that Center in the care and treatment of patients under the residency training program; that no separate funds of the University or any other state appropriated funds were utilized in the acquisition of that property by the University; that the Selma-Dallas County Family Practice Center, Inc. was incorporated as an Alabama nonprofit corporation on November 12, 1975, and has been recognized and approved by the City Council of Selma and is, thereby, a public corporation; that The Board of Trustees of the University has recognized that the University holds title to the property for and on behalf of the Selma-Dallas County Family Practice Center and requests that the Legislature authorize the conveyance of that property by the University to the Selma-Dallas County Family Practice Center, Inc.; and that in response to the request of the University and the governing bodies of the city of Selma and Dallas County, and in keeping with the original intent of the Legislature in appropriating funds to the University for the Selma-Dallas County Family Practice Center, The Board of Trustees of the University of Alabama is authorized to convey said real property to the Selma-Dallas County Family Practice Center, Inc.

Also:

S. 459. Relating to Walker County; providing for an additional fee for the issuance of a pistol permit fee by the sheriff; providing for the disposition and use of the proceeds therefrom; and repealing all laws or parts of laws in conflict with the provisions of this act.

Also:

S. 494. Relating to Marshall County; levying an additional 1% lodgings tax to be used by the Marshall County Tourism Commission for the promotion of Marshall County as a tourist destination; providing that the state department of revenue shall collect such tax.

Also:

S. 531. To amend Section 7 of Act No. 248, H. 872 of the 1975 Regular Session (Acts 1975, p. 778), relating to Shelby County and the installation and maintenance of an improved system of recording title to property and other documents recorded in the office of the Judge of Probate and the collection and disposition of a special index fee therefor, so as to further provide for such fees.

JOHN W. PEMBERTON,
Clerk.

RECESS

At 6:10 P. M., on motion of Mr. Higginbotham, the Senate took a recess until 7:30 P. M.

NIGHT SESSION

TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, APRIL 20, 1982

The Senate reassembled in the Senate Chamber, Lieutenant Governor McMillan presiding.

ROLL CALL

Present:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Callahan	Hilliard	Mitchem	Teague (B)
Cook	Holmes	Parsons	Teague (J)
deGraffenried	Keener	Pearson	Vacca
Denton	Kirkland	Proctor	Weeks
Figures	Lemaster	Robertson	White
Gulledge	Little		

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SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983; and to provide that certain employees shall be brought up to the normal step under the state pay plan; and to appropriate funds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Reed:

H. J. R. 393. ACKNOWLEDGING THE GRATITUDE OF THE ALABAMA LEGISLATURE TO THE PORTERS ON THE HOUSE AND SENATE STAFF.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 393, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Turnham, McCorquodale, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 381. MOURNING THE DEATH OF MRS. MARY JANE WOOLFOLK OF MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 381, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Hammett:

H. J. R. 375. COMMENDING THE FIRST BAPTIST CHURCH OF OPP, ALABAMA, ON THE 80TH ANNIVERSARY OF ITS FOUNDING.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Miller, the Rules were suspended and the Resolution, H. J. R. 375, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Gregg:

H. J. R. 387. WHEREAS, in accordance with the State Military Department regulation SMDR No. 7-19 and SMDR (AIR) 900-1 as issued by the office of the adjutant general May 15, 1972, there were certain Alabama declarations, Alabama service medals, United States Army and Air Force medals awarded for the purpose of providing tangible evidence of public recognition for acts of valor, exceptional service or achievement, and

WHEREAS, these medals have been highly prized by their recipients and have contributed to their desire to provide even greater distinguished service to their fellow citizens, state and country, and

WHEREAS, these medals and declarations have been replaced within the past few years with lesser notice of certificate of awards, and

WHEREAS, there have been complaints as to the aforesaid action, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully request the office of adjutant general, and particularly General Henry Cobb, to reinstitute the provisions of SMDR No. 7-19 and SMDR (AIR) No. 900-1, so as to provide a tangible and more valued recognition of service to those who serve our State and Nation so admirably,

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to General Henry Cobb, The Honorable Joe McCorquodale, Jr., the Honorable George McMillan, and our Governor, the Honorable Fob James, with the request of their support for the intent of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 387, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Manley:

H. J. R. 369. COMMENDING SEMINOLE ELECTRIC COOPERATIVE, INC. FOR ITS CONTRIBUTION TO THE ECONOMIC DEVELOPMENT OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 369, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Gafford:

H. J. R. 379. ENCOURAGING THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BIRMINGHAM TO USE ANY UNPLEDGED NEW MONEY COMING IN UNDER THE RECENTLY ENACTED LEVELIZED BEER TAX TO PAY CITY EMPLOYEE PAY RAISES AND LONGEVITY PAY.

WHEREAS, the employees of the City of Birmingham are in dire need of a pay raise and longevity pay provisions in their pay plan; and

WHEREAS, some new money will be coming into the city treasury of the City of Birmingham under the recently enacted levelized beer tax; and

WHEREAS, only a portion of this new money is pledged for the use of the city transit authority; and

WHEREAS, we wish to encourage the mayor and the city council to give serious consideration to using a portion of the unpledged new revenues to grant city employee pay raises and longevity pay; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do strongly urge and encourage the mayor and the city council of the City of Birmingham to use some of the revenue that will be coming into the city treasury under the recently enacted levelized beer tax to grant pay raises and longevity pay to city employees.

BE IT FURTHER RESOLVED, That the Clerk of the House send a copy of this resolution to the mayor and each member of the city council of the City of Birmingham, to the Birmingham News Media and the city employees' organization in Birmingham.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cook, the Rules were suspended and the Resolution, H. J. R. 379, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Zoghby, Parker, Kennedy, Turner, Harper (T), Clark (W), Buskey, Stewart, Warren, Daniels, McMillan, Penry, Bedsole, Dial, Ward, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby,

Crow, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Langford, Letson, Lewis, McCorquodale, McKee, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Patton, Payne, Pegues, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stout, Trammell, Tucker, Turnham, Venable, Waggoner, Whatley, Williams, Willis and Wyatt:

H. J. R. 376. COMMENDING MISS KAY IVEY FOR OUTSTANDING SERVICE TO THE ALABAMA HOUSE OF REPRESENTATIVES.

Also:

By Rep. Horn:

H. J. R. 377. COMMENDING SENIOR FORWARD CHRIS GILES OF THE UNIVERSITY OF ALABAMA-BIRMINGHAM BLAZERS.

Also:

By Reps. Shoemaker, Moore, Dial, Grimsley, Johnson (R. G.) and Turnham:

H. J. R. 382. HONORING MR. GEORGE C. McFADEN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Kirkland, the Rules were suspended and the Resolution, H. J. R. 376, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Mr. Cook, the Rules were suspended and the Resolution, H. J. R. 377, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 382, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Penry:

H. J. R. 388. COMMENDING MRS. ERIE H. MEYER.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 388, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Biddle:

H. J. R. 391. ACKNOWLEDGING THE GRATITUDE OF THE ALABAMA LEGISLATURE TO THE SECRETARIES ON THE HOUSE AND SENATE STAFF.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 391, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Hall:

H. J. R. 392. DESIGNATING THE WEEK OF JULY 11-17, 1982, AS NATIONAL COUNTRY-GOSPEL MUSIC WEEK IN ALABAMA.

WHEREAS, the National Country-Gospel Music Association was established some fifteen years ago in Nashville, Tennessee, and has since held annual meetings in the various states; and

WHEREAS, this year the association's National Convention is being held in Athens, Alabama, on the 16th and 17th of July in furtherance of the organization's cause to promote and preserve country-gospel music as an important part of our nation's heritage; and

WHEREAS, the State of Alabama is indeed privileged to have been selected as the site of the 1982 convention of the National Country-Gospel Music Association; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in support of the cause of the National Country-Gospel Music Association and in the tradition of the previous host states for their annual convention, we hereby name and designate the week of July 11-17, 1982, as National Country-Gospel Music Week in Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Jim Holland, president of the association, in token of this designation of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Rules were suspended and the Resolution, H. J. R. 392, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 52. To create the Alabama board of optometric scholarship awards and to make an appropriation from the Alabama special educational trust fund to such board for the financing and administering of scholarship loans.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teague (J), the Senate concurred in and adopted the following House amendment to the Bill, S. B. 52, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 52

Amend S. B. 52 on page 2, Section 2, line 12 by inserting after the word "appropriated" the word "conditionally."

Yeas 11; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor
Cook	Kirkland	Mitchem	Teague (J)
Denton	Little	Robertson	Weeks

—11

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 329. To amend Section 11-54-95 of the Code of Alabama 1975 so as to permit the filing of for record in office of the judge of probate without the payment of any tax or fees (other than recording fees) not only any leases made by a municipal industrial development board but also any agreements or contracts of sale made by any such board and any deeds or other documents whereby properties are conveyed by any such board pursuant to a contractual obligation or as a result of the exercise of an option granted by such board, and so as to provide that such documents, as well as the others referred to in said Code section, may be so filed without the payment of any taxes or fees (other than recording fees) not only in the office of the judge of probate of the county in which such board is organized but also in the office of the judge of probate of any county in which any property involved is located.

was read a third time at length and passed.

Yeas 12; Nays 0.

Yeas:

Messrs.:	Kirkland	Pearson	Teague (J)	
Cook	Little	Smith	Weeks	
Denton	Miller	Taylor	White	
Hall				—12

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

The Bill:

H. 331. To permit any person or entity to sell diesel fuel for the use in the operation of any motor vehicle upon the highways of this state and diesel fuel for off-highway purposes from the same tank and the same pump if certain requirements are met.

was read a third time at length and passed.

Yeas 12; Nays 0.

Yeas:

Messrs.:	Lemaster	Mitchem	Teague (J)	
Denton	McDonald	Parsons	Weeks	
Hall	Miller	Taylor	White	
Kirkland				—12

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

FURTHER CONSIDERATION OF H. B. 150

The Senate proceeded to further consideration of the Bill, H. B. 150.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 150, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 150

A BILL
TO BE ENTITLED
AN ACT

To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983 and to provide that certain employees shall be brought up to the normal step under the state pay plan and to appropriate funds.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning with the first payday on October 1, 1982 and payable in twenty-seven equal installments beginning on the first payday on October 1, 1982, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and all hourly employees of the state, except those set out in Section 2 herein, and all legislative personnel, officers and employees, including but not limited to Legislative

Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 2 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 12 percent salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. All such increases shall be in addition to the salary received by such employees.

Section 2. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract, nor shall this Act apply to state judges whose salaries are payable from the state treasury if such judges' salaries are increased under and by the virtue of: (1) The recommendations contained in the Report of the Judicial Compensation Commission to the 1982 Regular Session of the legislature becoming law; or (2) the enactment into law of legislation altering and amending said report; or (3) any other legislation enacted into law during the 1982 Regular Session of the legislature. By this act the legislature directs that the aforesaid 12 percent increase for fiscal year 1982-83 be paid from funds incorporated in and appropriated by the general appropriations act for the fiscal year ending September 30, 1983, and from funds incorporated in and appropriated by the education appropriations act for fiscal year ending September 30, 1983. It is not the intent of this act to appropriate additional monies for this purpose.

Section 3. The director of the state personnel department shall revise the schedule of rates set forth in the pay plan for state employees subject to the merit system law to reflect the increase provided and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. The director of the state personnel department shall also revise the rates of pay for hourly state employees and for legislative personnel, including but not limited to Legislative Reference Service personnel, not subject to the state merit systems law to reflect the increases herein provided and the comptroller shall draw his warrants in accordance therewith. With respect to court officials and employees within the Unified Judicial System who serve the trial courts of the state and the Administrative Office of Courts, the Administrative Director of Courts shall revise the schedule of rates set forth in the pay plan for such court officials and employees to reflect the increase provided herein, and shall certify the same to the state comptroller who shall issue warrants in accordance therewith.

Section 4. Any law to the contrary notwithstanding, in addition to any increase in compensation granted in Section 1, any state employee granted a step increase after October 1, 1980, under the provisions of Act 80-616, Regular Session 1980, which step increase was in an amount less than a normal step under the state pay plan shall be brought up to the step in the state pay plan where such employee would be without regard to any limitation on step increases under the provisions of such Act. Such amounts as may be necessary to pay state employees the increased salaries provided in this section are hereby appropriated for the fiscal year beginning October 1, 1982, from such funds as the salaries of the several state employees are paid, or, if there is not sufficient money in such funds, then from the general fund of the State treasury or any revenue sharing funds, such additional sums as may be necessary to pay the salary increases herein provided for such state employees and officials as are subject to the provisions of this Act.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Pearson offered the following amendment to the substitute, for the Bill, H. B. 150, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. 150

On page 2 in Section 2, line 18 and 19, delete the last sentence and insert in lieu thereof the following:

In the event there are not sufficient funds to pay state employees the increased salaries provided herein, such amounts as may be necessary to pay state employees such increased salaries are hereby appropriated for the fiscal year beginning October 1, 1982 from such funds as the salaries of the several state employees are paid, or, if there is not sufficient money in such funds, then from the general fund of the State treasury or any revenue sharing funds.

Which was adopted.

And said substitute, as thus amended, for the Bill, H. B. 150, was then adopted by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Kirkland	Parsons	Teague (B)	
Cook	Lemaster	Pearson	Teague (J)	
Denton	Little	Robertson	Vacca	
Hall	Miller	Smith	Weeks	
Higginbotham	Mitchem	Taylor	White	
Hilliard				—20

Nays: —0

And said Bill, H. B. 150, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	Teague (B)	
Cook	Hilliard	Mitchem	Teague (J)	
deGraffenried	Kirkland	Pearson	Vacca	
Denton	Lemaster	Robertson	Weeks	
Gulledge	Little	Smith	White	
Hall	McDonald	Taylor		—22

Nays: —0

MESSAGE FROM THE GOVERNOR

To the Alabama Senate
State Capitol
Montgomery, Alabama 36130

Gentlemen:

I transmit herewith a Message from the Governor concerning Senate Bill 182 without his signature and approval and with suggested Executive Amendments.

Respectfully submitted,
WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 20th day of April, 1982.

To The Alabama Senate
State Capitol
Montgomery, Alabama 36130

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill 182 without my signature and approval and with the following suggested Executive Amendments:

On the first page of the enrolled bill, on line 21 before the word "executive" insert the word "chief".

On the first page of the enrolled bill, on line 23 following the semicolon after the words "Athens College" insert the words "to create a department of postsecondary education".

On page two of the enrolled bill, after line 12 insert a new subsection (6) which shall read as follows: "6. Postsecondary education department is a parallel organization to the state department of education directly responsible to the state board of education for the direction and supervision of junior colleges and trade schools and community colleges with a chief executive officer entitled Chancellor".

On page two of the enrolled bill, on line 18, delete the words "state board of education" and insert in lieu thereof the word "Chancellor".

On page two of the enrolled bill, on line 18, delete the words "provisions of this Act" and insert in lieu thereof the words "approval of the Board".

On page two of the enrolled bill, on line 21 after the word "Chancellor" and before the period, insert the words "who will also be chief executive officer of the postsecondary education department".

On page three of the enrolled bill, on line 25 after the word "shall" delete the remainder of line 25 and on line 26 delete the words "communication to the state board of education concerning." and in lieu thereof on line 25 after the word "shall" insert the words "act as chief executive officer of the postsecondary education department of the state board of education and will direct all".

On page three of the enrolled bill, on line 27 after the word "schools" and before the period insert the words "within the policies of the state board of education".

On page four of the enrolled bill, on line 11 after the word "proper" delete the words "to assist" and insert in lieu thereof the words "to administer policies, rules and regulations of".

On page four of the enrolled bill, on line 14 after the word "education" insert the words "on the activities of the postsecondary education department".

On page four of the enrolled bill, on line 27 after the word "Board" delete the word "may" and insert in lieu thereof the word "will".

On page four of the enrolled bill, on line 27, after the word "Chancellor" delete the words "subject to rules and regulations adopted" and further delete from page four of the enrolled bill on line 28 the words "by the Board".

On page four of the enrolled bill, delete lines 32 through lines 38 in their entirety.

The Adoption of the above and foregoing suggested Executive Amendment will remove my objection to this Bill.

Respectfully,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Mitchem, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 182. To provide authority for the state board of education to appoint a Chancellor to serve as the executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools, and Athens College; provide that the board shall set the salary of its chief executive officers; establish the authority of the board and Chancellor regarding the junior colleges and trade schools and the Office of the Chancellor; and provide authority for administrative actions necessary to govern the junior colleges and trade schools.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 19; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	Smith
Cook	Hilliard	Mitchem	Taylor
deGraffenried	Kirkland	Parsons	Teague (B)
Denton	Little	Pearson	Weeks
Gulledge	McDonald	Robertson	White

—19

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 182, as thus amended by the Executive amendment, was again read at length and passed by a vote of

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Mitchem	Taylor
Bailey	Higginbotham	Parsons	Teague (B)
Cook	Lemaster	Pearson	Vacca
deGraffenried	Little	Robertson	Weeks
Denton	Miller	Smith	White
Gulledge			—20

Nays: —0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 480. To provide a sixteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith
Bailey	Hall	Miller	Taylor
Britnell	Harrison	Mitchem	Teague (B)
Cook	Higginbotham	Pearson	Teague (J)
deGraffenried	Hilliard	Proctor	Vacca
Denton	Kirkland	Robertson	Weeks
Figures	Lemaster		—25

Nays: —0

The Bill:

H. 697. To make an additional appropriation for salaries and other expenses for the use of the Legislature.

was read a third time at length and passed.

Yeas 14; Nays 1.

Yeas:

Messrs.:	Hall	Miller	Teague (J)
Britnell	Kirkland	Parsons	Weeks
deGraffenried	Lemaster	Pearson	White
Denton	Little	Taylor	—14

Nay: Mr. Bailey. —1

The President and Presiding Officer of the Senate declared a quorum present but not voting.

The Bill:

H. 265. To provide that any justice or judge of the supreme court or a court of appeals who was holding office with such court on or before June 1,

1976, and who had time of service as a full-time state prosecutor or assistant prosecutor may have such service credited as time in a judicial position with the Judicial Retirement System; to provide that such credit shall be limited to 5 years; to provide that any such justice or judge must pay into the Judicial Retirement Fund a sum equal to 6% of his then annual salary for each year of such credit desired; and to further provide a one year period in which such election and purchase shall be completed.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Hilliard	Parsons	Teague (B)
Cook	Kirkland	Pearson	Teague (J)
Denton	McDonald	Robertson	Vacca
Figures	Miller	Smith	Weeks
Hall	Mitchem	Taylor	White

—19

Nays:

—0

MESSAGE FROM THE GOVERNOR

To The Senate
State Capitol
Montgomery, Alabama 36130

Gentlemen:

I transmit herewith a Message from the Governor concerning Senate Bill Number 91 without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 20th day of April, 1982.

To The Senate
State Capitol
Montgomery, Alabama 36130

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 91 without my signature and approval and with the following suggested Executive Amendments.

And following the word "Mayor" in the fifth line of Section 1, page one of the Enrolled Bill, the words "whose salary".

Delete the words and numbers "\$39,500 thirty nine thousand five hundred" in the sixth and seventh lines of Section 1, page one of the Enrolled Bill, and substitute in lieu thereof the following "thirty nine thousand five hundred dollars (\$39,500.00)".

Delete the word "become" in the second line on page two of the Enrolled Bill and substitute in lieu thereof the word "be".

The Adoption of the above and foregoing suggested Executive Amendments will remove my objection to the Bill.

Respectfully,
FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Hilliard, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 91. Relating to Class I municipalities, and any municipality having a population of 250,000 or more according to the last or any subsequent federal decennial census, to authorize the Mayor of any such municipality in this state to employ for and on behalf of said municipality a Chief Administrative Assistant to the Mayor, to provide how the maximum salary of the Chief Administrative Assistant shall be determined by the Mayor, to preserve salary and merit system rights of classified employees appointed to the Mayor's staff, and to provide that such employee shall not be subject to any merit system while serving on the Mayor's staff but shall be a member of any pension system applicable to merit system employees, provided application for such membership be made within thirty (30) days of appointment.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Hilliard	McDonald	Taylor
Callahan	Holmes	Mitchem	Teague (J)
Cook	Keener	Parsons	Vacca
Denton	Kirkland	Pearson	Weeks
Figures	Lemaster	Proctor	White
Gulledge	Little		—25

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 91, as thus amended by the Executive amendment, was again read at length and passed, by a vote of

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Hilliard	McDonald	Taylor
Callahan	Holmes	Mitchem	Teague (J)
Cook	Keener	Parsons	Vacca
Denton	Kirkland	Pearson	Weeks
Figures	Lemaster	Proctor	White
Gulledge	Little		—25

Nays: —0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 257. MOURNING THE DEATH OF MRS. MARIE REYNOLDS LEWIS OF BESSEMER, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 426. To amend Sections 1 and 5 of Act No. 651, H. 1555 of the 1973 Special Session (Acts 1973, p. 972), which created an Industrial Development Authority for Tuscaloosa County so as to provide further for the composition of the board of such authority and to prescribe certain tax exempt status and security for bonds issued by said authority.

JOHN W. PEMBERTON,
Clerk.

MESEAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 353. To further amend Sections 40-18-5, 40-18-14, 40-18-15, 40-18-19, 40-18-25, 40-18-30, 40-18-35, 40-18-71, and 40-18-81 Code of Alabama 1975, relating to the income tax so as to change the rates of taxation, enable married persons to file joint returns, increase the optional standard deduction, conform certain exclusions and deductions to federal law, allow deductions for contributions to individual retirement accounts and individual retirement annuities and to provide for the taxation of distributions from such accounts and annuities, allow deductions for contributions by self-employed individuals to qualified plans on their behalf, conform to federal law the deduction by corporations for contributions to qualified plans, allow exemption from the income tax of certain charitable, etc. entities which are exempt from federal income tax, provide for the personnel exemption not to be prorated in the year of an individual taxpayer's death, and modify the requirement of withholding income taxes to reflect the above.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. White, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 353, the title of which is set out in the foregoing Message from the House, to-wit:

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HOUSE AMENDMENT TO S. B. 353

On page 5, on lines 22 and 24, delete the language "January 1, 1982" and insert in lieu thereof: July 20, 1981

Yeas 18; Nays 0.

Yeas:

Messrs.:	Lemaster	Parsons	Teague (B)
Cook	Little	Pearson	Teague (J)
Gulledge	McDonald	Robertson	Vacca
Hilliard	Miller	Smith	White
Kirkland	Mitchem	Taylor	—18

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 348. To authorize the state to join a compact between the states of Mississippi and Louisiana for the purpose of studying the feasibility of rapid rail transit service between the states: to authorize the Governor to join the compact; and to establish a joint interstate commission for such purpose.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 80. To amend Sections 9-11-44, 9-11-47 and 9-11-49, Code of Alabama 1975, relating to certain resident and nonresident hunting licenses so as to increase the license fees for nonresident licenses, set the expiration date, provide for the contents of the license, set certain penalties and set the maximum number of deer which may be taken under a nonresident license. was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Higginbotham	Mitchem	Teague (J)
Callahan	Kirkland	Pearson	Vacca
Cook	Lemaster	Robertson	Weeks
Gulledge	Little	Smith	White
Hall	Miller	Taylor	—18

Nays: —0

The Bill:

H. 154. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Figures	Mitchem	Taylor	
Bailey	Gulledge	Parsons	Teague (B)	
Britnell	Higginbotham	Pearson	Teague (J)	
Callahan	Keener	Proctor	Vacca	
Cook	Little	Robertson	Weeks	
deGraffenried	Martin	St. John	White	
Denton	Miller	Smith		—26

Nays: —0

The Bill:

H. 155. To make appropriations for the support and maintenance of the Talladega College.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Gulledge	Miller	Smith	
Bailey	Hall	Mitchem	Taylor	
Britnell	Higginbotham	Parsons	Teague (B)	
Callahan	Keener	Pearson	Teague (J)	
Cook	Kirkland	Proctor	Vacca	
deGraffenried	Little	Robertson	Weeks	
Denton	Martin	St. John	White	
Figures	McDonald			—29

Nays: —0

The Bill:

H. 156. To make appropriations for the support and maintenance of the Marion Military Institute.

was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gulledge	McDonald	Smith	
Bailey	Hall	Miller	Taylor	
Britnell	Higginbotham	Mitchem	Teague (B)	
Callahan	Keener	Parsons	Teague (J)	
Cook	Kirkland	Pearson	Vacca	
deGraffenried	Little	Robertson	Weeks	
Denton	Martin	St. John	White	
Figures				—28

Nays: —0

The Bill:

H. 158. To make appropriations for the support and maintenance of the Walker County Junior College.

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was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Figures	Little	Taylor
Bailey	Gulledge	Martin	Teague (B)
Britnell	Hall	McDonald	Teague (J)
Callahan	Higginbotham	Miller	Vacca
Cook	Holmes	Mitchem	Weeks
deGraffenried	Keener	Pearson	White
Denton	Kirkland		

—25

Nays: —0

The Bill:

H. 397. To make appropriations for the support and maintenance of the Tuskegee Institute.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Taylor
Britnell	Hall	McDonald	Teague (B)
Callahan	Higginbotham	Miller	Teague (J)
Cook	Holmes	Mitchem	Vacca
deGraffenried	Keener	Robertson	Weeks
Denton	Kirkland	St. John	White
Figures	Little		

—25

Nays: —0

BILL RECONSIDERED

On motion of Mr. Teague (J), the Senate reconsidered the vote by which the Bill, H. B. 265, was passed.

On motion of Mr. Teague (J), the Senate reconsidered the vote by which the Bill, H. B. 265, was ordered to its third reading.

Mr. Teague (J) then offered the following substitute for the Bill, H. B. 265, to-wit:

SUBSTITUTE FOR H. B. 265

A BILL
TO BE ENTITLED
AN ACT

To provide that any justice or judge of the supreme court or a court of appeals or any circuit court judge who was holding office with such court on or before June 1, 1976, and who had time of service as a full-time state prosecutor or assistant prosecutor, or who had time of service as an attorney for the state milk control board, may have such service credited as time in a judicial position with the Judicial Retirement System; to provide that such credit shall be limited to 5 years; to provide that any such justice or judge must pay into the Judicial Retirement Fund a sum equal to 6% of his then annual

salary for each year of such credit desired; and to further provide a one-year period in which such election and purchase shall be completed.

Be It Enacted by the Legislature of Alabama:

Section 1. Any justice of the supreme court or judge of one of the courts of appeals or any circuit court judge holding office on or before June 1, 1976, who has time of service as a full-time state prosecutor or assistant state prosecutor in any circuit of the state, or who had time of service as an attorney for the state milk control board, shall be entitled to have such time of service, regardless of whether or not such time of service was continuous, treated as time of service in the judicial position he holds on or before June 1, 1976, with the Judicial Retirement System; provided, however, that such time of service does not exceed five (5) years; provided also that such justice or judge shall pay into the Judicial Retirement Fund of Alabama a sum equal to six percent (6%) of his then annual salary for each year of such service that he elects to count toward judicial retirement; provided further that such election and payment shall be made to the Secretary Treasurer of the Employees' Retirement Systems of Alabama within one (1) year from June 1, 1981. Should the records of the Employees' Retirement Systems of Alabama fail to reflect the position held thereunder and for which credit is sought under the provisions of this Act, affidavit from one (1) disinterested person that such position was that of a full-time prosecutor or assistant prosecutor of any circuit in this state, or as an attorney for the state milk control boards, shall suffice as proof thereof.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 17; Nays 1.

Yeas:

Messrs.:	Hilliard	St. John	Teague (J)	
Callahan	Kirkland	Smith	Vacca	
Cook	Miller	Taylor	Weeks	
Gulledge	Mitchem	Teague (B)	White	
Hall	Robertson			—17

Nay: Mr. Little.

—1

And said Bill, H. B. 265, as thus amended by the substitute, was again read a third time at length and passed.

Yeas 19; Nays 1.

Yeas:

Messrs.:	Holmes	Mitchem	Teague (B)	
Callahan	Kirkland	Robertson	Teague (J)	
Cook	Lemaster	St. John	Vacca	
Gulledge	McDonald	Smith	Weeks	
Hall	Miller	Taylor	White	

—19

Nay: Mr. Little.

—1

MOTION TO ADJOURN LOST

At 9:10 P.M., Mr. Hall moved that the Senate adjourn until Monday, April 26, at 2 o'clock P.M., which motion was lost.

BILLS ON THIRD READING RESUMED

The Bill:

H. 283. To amend further section 36-25-1, Code of Alabama 1975, relating to the code of ethics for public officials and employees, so as to exempt certain firemen from the provisions of such code of ethics.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Taylor
Bailey	Higginbotham	Miller	Teague (B)
Britnell	Hilliard	Mitchem	Teague (J)
Cook	Holmes	Parsons	Vacca
Denton	Kirkland	Robertson	Weeks
Gulledge	Lemaster	St. John	White
Hall	Little	Smith	

—26

Nays:

—0

POINT OF PERSONAL PRIVILEGE

Mr. Holmes requested that the Journal show that had he been present when the vote was taken on H. B.'s 150 and 480, he would have voted "Aye".

BILLS ON THIRD READING RESUMED

The Bill:

H. 301. To amend Section 36-7-21, providing for out-of-state travel for State employees; to allow the Commissioner of Agriculture and Industries to approve out-of-state travel requests of persons representing the State Department of Agriculture and Industries.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Hall	Lemaster	Taylor
Bailey	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Robertson	Teague (J)
Denton	Holmes	St. John	Weeks
Gulledge	Kirkland	Smith	White

—19

Nays:

—0

The Bill:

H. 221. To further provide for taxation relating to the sale of alcoholic beverages; to levy an additional state sales tax on the sale of alcoholic beverages sold at retail in Alcoholic Beverage Control Board stores; to provide that the revenues produced from the additional tax shall be collected by the Alcoholic Beverage Control Board and paid to the Department of Revenue for distribution; to allow the Department of Revenue to retain a reasonable sum for the cost of collection and redistribution of the net proceeds; to

prescribe that all net proceeds generated by this act shall be distributed to the counties and municipalities in which the taxes are collected; to provide that the tax proceeds distributed to counties shall be used by those counties for law enforcement purposes; and to prohibit any county or municipality which receives proceeds pursuant to the provisions of this act from levying any additional taxes on the sale of alcoholic beverages which would be collected by the Alabama Alcoholic Beverage Control Board or its stores.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 221, to-wit:

COMMITTEE AMENDMENT TO H. B. 221

Amend House Bill 221, page 1, line 21, by deleting the "period" and adding the following:

"unless otherwise provided by local act."

Amend House Bill 221, page 2, line 10, by deleting the "semi-colon" and adding the following:

"unless otherwise provided by local act;"

Amend House Bill 221, page 3, line 17, by deleting the "period" and adding the following:

"unless otherwise provided by local act."

Which was adopted.

Yeas 21; Nays 1.

Yeas:

Messrs.:	Hall	Miller	Teague (B)	
Bailey	Harrison	Mitchem	Teague (J)	
Britnell	Higginbotham	Parsons	Vacca	
Cook	Hilliard	Smith	Weeks	
Denton	Holmes	Taylor	White	
Gulledge	Kirkland			—21

Nay: Mr. Little. —1

Mr. White offered the following amendment to the Bill, H. B. 221, as amended, to-wit:

AMENDMENT TO H. B. 221, AS AMENDED

Amend H. B. 221 on page 2, line 36 by striking the words and figures "twenty-five percent (25%)" and inserting in lieu thereof "forty percent (40%)".

Further amend the bill on page 3, line 7 by striking the words and figures "seventy-five percent (75%)" and inserting in lieu thereof "sixty percent (60%)".

On motion of Mr. Weeks, said amendment was laid on the table.

And said Bill, H. B. 221, as thus amended, was read a third time at length and passed.

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Yeas 24; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Taylor
Bailey	Hilliard	Miller	Teague (B)
Britnell	Holmes	Mitchem	Teague (J)
Cook	Lemaster	Proctor	Vacca
Denton	Little	Robertson	Weeks
Gulledge	Martin	Smith	White
Hall			

—24

Nays: —0

BILLS RE-REFERRED

Mr. McDonald moved that the Bills, H. B.'s 558, 724, 305, and 96, be removed from the Standing Committee on Governmental Affairs and re-referred to the Standing Committee on Rules, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 558, 724, 305, and 96, re-referred to the Standing Committee on Rules.

Mr. McDonald then moved that the Bill, H. B. 246, be removed from the Standing Committee on Judiciary and re-referred to the Standing Committee on Rules, which motion was adopted.

And the President and Presiding Officer of the Senate, ordered said Bill, H. B. 246, re-referred to the Standing Committee on Rules.

Mr. McDonald then moved that the Bill, H. B. 740, be removed from the Standing Committee on Agriculture, Conservation, and Forestry and re-referred to the Standing Committee on Rules, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 740, re-referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 254. COMMENDING CHIEF RAY BARNES AND THE DOTHAN FIRE DEPARTMENT.

Also:

S. J. R. 255. DESIGNATING APRIL 26, 1982, AS NATIONAL FOOTBALL FOUNDATION SCHOLAR-ATHLETE DAY IN ALABAMA.

Also:

S. J. R. 258. COMMENDING THE LIVINGSTON UNIVERSITY LADY TIGERS BASKETBALL TEAM FOR WINNING THEIR SECOND CONSECUTIVE AIAAW SOUTHERN DIVISION CHAMPIONSHIP.

Also:

S. J. R. 259. COMMENDING THE AUBURN UNIVERSITY WOMEN'S SWIM TEAM IN ITS RECENT PERFORMANCE AT THE N. C. A. A. CHAMPIONSHIPS.

Also:

S. J. R. 260. COMMENDING AUBURN UNIVERSITY WOMEN'S BASKETBALL TEAM ON ITS EXCELLENT SEASON.

Also:

S. J. R. 261. HONORING MR. GEORGE G. McFADEN.

Also:

S. J. R. 262. COMMENDING PATRICIA ANN ELLIOTT UPON HER RECENT RETIREMENT AS DISTRICT DIRECTOR OF THE ALABAMA LUNG ASSOCIATION.

Also:

S. J. R. 263. CONGRATULATING DEAN TRUMAN M. PIERCE ON HIS ACHIEVEMENTS AND CONTRIBUTIONS TO TEACHER EDUCATION.

Also:

S. J. R. 264. COMMENDING MR. CURTIS McMAHAN FOR HIS EFFORTS IN ORGANIZING THE HOKES BLUFF FIRE DEPARTMENT.

Also:

S. J. R. 265. COMMENDING REPRESENTATIVE BROOK HINES OF BREWTON, ESCAMBIA COUNTY, ALABAMA.

Also:

S. J. R. 266. COMMENDING MRS. PENNIE BUCKELEW FOR MERITORIOUS SERVICE TO THE STATE OF ALABAMA.

Also:

S. 24. To require that persons who transport children under the age of three use a passenger restraint system in certain instances; to provide penalties for violation of the act.

Also:

S. 41. To declare as facts and state legislative intent that certain real property located in the city of Selma, Dallas County, Alabama, has been acquired by The Board of Trustees of the University of Alabama with funds appropriated to the University for the Selma Family Practice Center and funds generated by that Center in the care and treatment of patients under the residency training program; that no separate funds of the University or any other state appropriated funds were utilized in the acquisition of that property by the University; that the Selma-Dallas County Family Practice Center, Inc. was incorporated as an Alabama nonprofit corporation on November 12, 1975, and has been recognized and approved by the City Council of Selma and is, thereby, a public corporation; that The Board of Trustees of the University has recognized that the University holds title to the property for and on behalf of the Selma-Dallas County Family Practice

Center and requests that the Legislature authorize the conveyance of that property by the University to the Selma-Dallas County Family Practice Center, Inc.; and that in response to the request of the University and the governing bodies of the city of Selma and Dallas County, and in keeping with the original intent of the Legislature in appropriating funds to the University for the Selma-Dallas County Family Practice Center, The Board of Trustees of the University of Alabama is authorized to convey said real property to the Selma-Dallas County Family Practice Center, Inc.

Also:

S. 49. To be known as the Law of Intestate Succession and Wills, providing the substantive law to govern intestate succession and wills, providing definitions of some terms with respect to decedents' estates, establishing certain rights to property of a decedent and amending certain sections of the Alabama Code of 1975 and repealing specific code sections and statutes that conflict herewith as well as all other laws that conflict with this Act.

Also:

S. 129. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Licensing Board For General Contractors as provided in Section 34-8-1 through 34-8-27 of the Code of Alabama 1975; with certain modifications; to amend Sections 34-8-2 and 34-8-4 so as to: delete the requirement that at least 80 percent of the first job of a newly licensed contractor be satisfactorily performed before performing work beyond that contract; change the time within which charges must be heard and to change the place of the hearing.

Also:

S. 189. Relating to the rules of the road; prescribing a limitation on the fine for certain speeding violations on interstate highways; and exempting such offenses from any docket or court costs which might otherwise be prescribed; and prohibiting such violations from being recorded on driving records.

Also:

S. 288. To amend Section 27-7-11, Code of Alabama 1975, which provides for the contents and conducting of licensing examinations for property, casualty and surety insurance representatives, so as to provide further for said examinations and to provide for an effective date.

Also:

S. 307. To amend Section 40-23-1, Alabama Code, 1975 as amended, so as to provide that the dispensing or transferring of ophthalmic materials to a patient by licensed ophthalmologists or optometrists as part of their professional service, shall not be considered a sale subject to the state sales tax; to place the responsibility for collecting the sales tax on the transfer of ophthalmic materials on the supplier of such materials to licensed ophthalmologists and optometrists; and to provide that in limited circumstances, the transfer of ophthalmic materials by opticians shall not be considered a sale subject to the state sales tax.

Also:

S. 315. To create the Office of Air Transportation (hereinafter referred to as the Office); to centralize the maintenance, management, storage, usage, fueling, and operations of state owned aircraft; to designate the Act as the

"Office of Air Transportation Act of 1982"; to provide a statement of legislative intent; to provide definitions; to provide for a director of the Office; to provide for other personnel for the Office; to provide for the transfer of property and funds from various state agencies which presently maintain and operate state aircraft and to provide for certain exceptions from the provisions of this Act; to authorize the Office to establish a state program of state aircraft operations and to set reasonable charges for the use and maintenance of state aircraft by other state agencies and departments; to provide for duties, powers and functions of the Office; to legislate appropriate funds; to create a revolving fund in the state treasury for the operations of the Office and to authorize the director to make deposits and expenditures from time to time as are necessary for the Office's operations; and to require annual reporting by the director of the Office's operations to the Governor and to the Legislature.

Also:

S. 358. To amend Section 41-9-680, Code of Alabama 1975, relating to the Music Hall of Fame Board, so as to alter the board's composition.

Also:

S. 423. To amend Section 12-17-30 of the Code of Alabama 1975 relating to salaries and local salary supplements, so as to prescribe a maximum for local supplements; and to provide exceptions thereto.

Also:

S. 432. To amend Section 40-17-38 of the Code of Alabama 1975, relating to discounts to distributors of gasoline, so as to provide further for certain discounts for volume losses of gasoline resulting from evaporation shrinkage.

Also:

S. 459. Relating to Walker County; providing for an additional fee for the issuance of a pistol permit fee by the sheriff; providing for the disposition and use of the proceeds therefrom; and repealing all laws or parts of laws in conflict with the provisions of this act.

Also:

S. 494. Relating to Marshall County; levying an additional 1% lodgings tax to be used by the Marshall County Tourism Commission for the promotion of Marshall County as a tourist destination; providing that the state department of revenue shall collect such tax.

Also:

S. 531. To amend Section 7 of Act No. 248, H. 872 of the 1975 Regular Session (Acts 1975, p. 778), relating to Shelby County and the installation and maintenance of an improved system of recording title to property and other documents recorded in the office of the Judge of Probate and the collection and disposition of a special index fee therefor, so as to further provide for such fees.

Also:

S. 302. To propose a constitutional amendment amending subsection 6.09 (d) of Article VI, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 328, relating to judicial compensation so as

to provide that the recommendations of the judicial compensation commission shall become law upon confirmation by a joint resolution.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 28. To amend Section 29-1-9, Code of Alabama 1975, relating to compensation of legislative interim committees, so as to remove the one-time mileage restriction.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Hall	Lemaster	Smith
Bailey	Higginbotham	Martin	Taylor
Britnell	Hilliard	Miller	Teague (J)
Denton	Holmes	Mitchem	Vacca
Gulledge	Kirkland	Parsons	Weeks

—19

Nays:

—0

The Bill:

H. 75. To amend section 41-16-51, Code of Alabama 1975, as amended, relating to competitive bids so as to exempt purchases of Local Housing Authorities organized under Chapter 1, Title 24, Code of Alabama 1975, from monies other than those raised by state, county or city taxation or received through appropriations from state, county or city sources.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hall	Little	Robertson
Bailey	Harrison	Martin	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Vacca
Cook	Kirkland	Parsons	Weeks
Denton	Lemaster	Proctor	White
Gulledge			

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 201. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 70. To provide that certain retirement income of military personnel shall be exempt from state, county and municipal income taxes; to amend Section 40-18-20 of the Code of Alabama 1975, so as to increase the amount of retirement income that shall be exempt from taxation; to provide for different amounts of such exemption to become effective at subsequent dates.

Also:

H. 300. To provide for the participation by the State of Alabama in the Southeast Interstate Low-Level Radioactive Waste Compact; to provide for the designation of this state's members on the Southeast Interstate Low-Level Radioactive Waste Commission; to provide for the acquisition of property and the operation of a treatment, storage or disposal site; to require a faithful performance bond in the amount of \$2,000,000; to create a Radiation Safety Fund; to provide for the collection of fees; appropriates \$25,000 from the general fund to the Southeastern Low-Level Radioactive Waste Commission; and provides penalties for violations.

Also:

H. 509. To authorize voluntary income tax check-off for support of the arts; to establish the Arts Development Fund from the net proceeds generated from such contributions; to provide for the distribution of such funds to certain tax exempt organizations or associations which encourage the development of high quality and significant art and cultural activities or facilities; to prescribe certain responsibilities for the Commissioner of Revenue in collecting such funds and forwarding the proceeds to the State Treasurer for deposit in the general fund of the state treasury in a fund designated "Arts Development Fund"; to provide for continuous appropriations from such fund to the Council on the Arts and Humanities for the purposes of this act and Sections 41-9-40 through 41-9-47 of the Code of Alabama 1975, relating to the powers, duties and responsibilities of the said council; to prescribe the substantial content for tax returns to provide for such contributions; to provide that such funds shall be supplemental and shall not be construed to be in lieu of annual appropriations; and to provide for an effective date.

Also:

H. 585. To make a conditional appropriation to the Board of Corrections for the fiscal year ending September 30, 1982.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 501. To amend Sections 26-2-1 and 26-2-45, Code of Alabama 1975, to provide that the courts may, in the exercise of their judicial discretion, appoint a "limited guardian" for a partially disabled person.

Also:

H. 542. To provide that the State Personnel Board, with the approval of the Governor, may provide that the State shall pick-up member contributions to the Employees' Retirement System of Alabama and that such contributions shall be treated as employer contributions for federal income tax purposes but shall continue to be treated as before for all other state law purposes and to further provide that the Supreme Court of Alabama may provide that the State and counties shall pick-up member contributions to the Judicial Retirement Fund and that such contributions shall be treated as employer contributions for federal tax purposes but shall continue to be treated as before for all other state law purposes.

Also:

H. J. R. 335. Relative to the Continuation and Reorganization of an Interim Committee on Municipal Government of the Legislature of Alabama, Setting Out the Duties and Functions of the Committee.

Also:

H. J. R. 337. INCREASING THE NUMBER OF BOARD MEMBERS OF THE ALABAMA SCHOOL OF FINE ARTS FROM ELEVEN TO FIFTEEN.

Also:

H. J. R. 365. MOURNING THE DEATH OF MRS. MARIE REYNOLDS LEWIS OF BESSEMER, ALABAMA.

Also:

H. J. R. 372. NAMING THE OMS 14 SHOP AT TALLADEGA, ALABAMA, THE "RAY PATTERSON OPERATION MAINTENANCE FACILITY."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 552. To authorize and provide for the incorporation by one or more counties or municipalities of the state of one or more health care authorities as public corporations to acquire, own and operate hospitals and other health care and related facilities within or without the boundaries of such counties or municipalities, or within or without the boundaries of the state; to provide for the making, filing, recording and amendment of the certificate of incorporation of each such authority; to provide for the government of each such authority by a board of directors and for the election, appointment, terms, compensation and removal of the members of such board of directors, and to provide for the holding of regular, special or other meetings of such board of directors without regard to the provisions of Section 13A-14-2 of the Code of Alabama 1975, as amended; to provide for the officers of such authority; to specify the general powers and duties of such authority and its board of directors; to empower such authority to acquire, operate, lease and manage hospitals and other types of health care facilities; to empower such authority to borrow money and to issue and sell interest-bearing securities and refunding securities, and to provide for the terms and conditions of the sale of such securities; to provide for the payment of and the security for such securities and for the use of the proceeds of such securities; to provide that such securities may be secured by a foreclosable mortgage on any health care facilities or other properties of such authority; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge made by such authority; to provide that such securities and other contracts entered into by such authority shall not constitute or create a debt of the state or any political subdivision thereof, and shall constitute negotiable instruments; to authorize the investment of certain funds of such authority; to provide for the creation of special reserves and other funds as may be necessary or desirable for the corporate purposes of such authority; to provide that the publication of a notice of the adoption of a resolution authorizing the issuance of securities by any such authority will establish a limited period after such publication within which must be commenced any action or proceeding questioning the validity of such securities or any instrument securing the same; to empower such authority to engage in anticompetitive activities within the contemplation of state and federal antitrust laws; to authorize such authority to make expenditures that would be considered ordinary and necessary expenses of such authority under state income tax law, subject to certain exceptions; to authorize investment by certain persons, corporations and political subdivisions in the securities of such authority; to exempt each such authority and the property, income, securities and certain conveyances and documents thereof from all taxation by the state or any political subdivision thereof; to exempt the gross proceeds of sales of property used in the construction of health care facilities for an

authority from all sales and similar excise taxes in the state, and to exempt such property from all use and similar excise taxes in the state; to exempt each such authority from all laws of the state governing usury or prescribing or limiting interest rates and, together with the officers, employees, and members of the board of directors thereof, from certain laws pertaining to competitive bidding; to authorize such authority, if its certificate of incorporation so provides, to exercise the same power of eminent domain as that appertaining to its authorizing subdivision or subdivisions, subject to certain exceptions; to authorize the designation of such authority as the agent of a county for certain public health purposes; to apply to such authority certain provisions of the Code of Alabama 1975, as amended, pertaining to tort claims and judgments against local governmental entities; to authorize, subject to certain conditions, such authority and any of its authorizing subdivisions to enter into leases covering projects of such authority and to specify requirements respecting such leases; to provide that the rentals payable and the obligations created by any such authorizing subdivision in any such lease shall be general obligations of such authorizing subdivision for which its full faith and credit may be pledged but shall be payable solely out of current revenues of such authorizing subdivision for the fiscal year during which such rents are payable and during which such agreements are required to be performed; to authorize such authorizing subdivisions to make special pledges of certain revenues and taxes as security for rentals payable and agreements to be performed by it under such lease; to provide the priority of any such special pledges; to authorize political subdivisions, and certain public hospital corporations and public agencies, authorities or bodies to convey to any health care authority, with or without consideration, any health care facilities and other property owned by them; to specify the effect of such conveyance on certain permits then held by such corporations, agencies, authorities or bodies; to provide that such authority and the directors, officers and employees thereof shall not be subject to the provisions of Chapter 25 of Title 36 of the Code of Alabama 1975, as amended; to provide that, in the event of any transfer of a health care facility to any such authority, certain taxes, tax proceeds or other revenues shall thereafter be paid to such authority, subject to certain restrictions; to provide for the disposition of the earnings of any such authority, its dissolution and the disposition thereupon of its assets and properties; to provide that certain public hospital corporations and public agencies, authorities or bodies may reincorporate as health care authorities hereunder and to provide for certain consequences or effects of such reincorporation; and to provide that any law requiring attachment of fiscal notes to certain bills shall not apply to this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 697. To make an additional appropriation for salaries and other expenses for the use of the Legislature.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

POINT OF PERSONAL PRIVILEGE

Mr. Holmes requested that the Journal show that had he been present when the vote was taken on the Bill, H. B. 70, he would have voted "Aye".

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state at the same time set by law in Section 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify a list of the signatures of at least one percent of the electors of the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirements of federal, state or local laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 47. To provide for the creation and organization of the Alabama Department of Environmental Management; to provide for legislative intent and purposes of the Act; to provide for definitions; to provide for powers and

functions of the Department; to provide for an Environmental Management Commission within the Department; to provide for powers and functions of the Environmental Management Commission; to provide for appeals of administrative actions; to provide for adopting rules and regulations; to provide for the transfer of functions and personnel; to provide for the repeal of, exemption from or amendment of certain sections of the Code of Alabama 1975, as amended; to provide for the creation of the Alabama Department of Environmental Management Fund; to provide for the transfer of personnel, funds, functions, and equipment of the Coastal Area Board to the Office of State Planning and Federal Programs; to provide for the creation of a Coastal Resources Advisory Committee; to provide for the severability of provisions of the Act; and to provide for an effective date of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hall, the Senate non-concurred in the following House amendment to the Bill, S. B. 47, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 47

Amend Senate Amendment to Senate Bill 47, line 14 after the colon by inserting in

HOUSE AMENDMENT TO S. B. 47

Amend Senate Bill 47 as follows:

On page 3, line 14, after the word "attorney" strike admitted and insert in lieu thereof licensed

On page 4, line 29, after the word "in" by inserting the City of Montgomery,

On page 10, line 31, after the period by inserting the following: No member of the Commission may serve more than a total of eighteen years.

On page 11, line 15, after the word "attorney" by striking admitted and insert in lieu thereof licensed

On page 12, line 11, after the word "Commission" by changing the period to a comma and adding but shall not exceed three consecutive years.

On page 13, line 4, after the word "expenses" by inserting when attending meetings

On page 53, Section 14, after line 19 by adding the following new subsection:

(e) Provided, however, no provision of this act shall be construed to repeal in whole or in part any provision of Act No. 81-1189, H. 24, Third Special Session 1981.

and requested a Committee on Conference.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	Smith	
Bailey	Higginbotham	Miller	Taylor	
Britnell	Hilliard	Mitchem	Teague (J)	
Callahan	Holmes	Parsons	Vacca	
Denton	Lemaster	Proctor	Weeks	
Gulledge	Little	Robertson		—22

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Teague (J), White and Parsons.

BILLS ON THIRD READING RESUMED

The Bill:

H. 100. To specifically prohibit the manufacture, distribution, possession, advertisement and sale to minors of "look alike" or imitation controlled substances; to establish definitions and penalties; to provide for seizure and forfeiture of such substances.

was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	Taylor	
Bailey	Holmes	Mitchem	Teague (B)	
Britnell	Kirkland	Proctor	Teague (J)	
Callahan	Lemaster	Robertson	Vacca	
Denton	Little	Smith	Weeks	
Hall	Martin			—21

Nays: —0

The Bill:

H. 362. Establishing the criminal offense of pharmacy robbery as a separate class of robbery under the criminal code of this state and prescribing certain penalties therefor.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Taylor	
Bailey	Higginbotham	Miller	Teague (B)	
Callahan	Holmes	Mitchem	Teague (J)	
Denton	Kirkland	Proctor	Vacca	
Gulledge	Lemaster	Robertson	Weeks	
Hall	Little	Smith		—22

Nays: —0

The Bill:

H. 289. To define certain terms; to provide that possessing, obtaining, receiving, selling or using a short-barreled rifle or short-barreled shotgun,

except by a peace officer acting in the course of or in connection with his official duties, is a Class C felony; to provide that changing, altering, removing, or obliterating the name of the maker, model, manufacturer's number or other mark or identification of any firearm, or possessing such a firearm, is a Class C felony; to provide that violation of this act in the course of or in connection with the commission of another felony shall be punished as a Class B felony; to provide that this act is supplemental to any other law and its penalties are in addition to those otherwise provided by law; to repeal § 13A-11-82; to provide that the provisions of this act are severable; and to provide that this act shall become effective immediately.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Lemaster	Smith
Bailey	Higginbotham	Little	Taylor
Britnell	Hilliard	Martin	Teague (B)
Callahan	Holmes	Mitchem	Teague (J)
Denton	Kirkland	Robertson	Weeks
Gulledge			—20

Nays: —0

The Bill:

H. 519. To amend Section 16-13-213, Code of Alabama 1975, relating to board of education notes in anticipation of warrants, so as to alter the period of refund, renewal or extension.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	Teague (B)
Britnell	Harrison	Miller	Teague (J)
Callahan	Hilliard	Mitchem	Vacca
Cook	Holmes	Proctor	Weeks
Denton	Lemaster	Smith	White
Figures	Little	Taylor	—22

Nays: —0

The Bill:

H. 687. To amend Section 40-18-19, so as to provide that the retirement pay of certain peace officers shall be exempt from state and local income tax the same as retirement pay of school teachers, state employees and civil service retirees.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cook	Higginbotham	Lemaster
Britnell	Denton	Holmes	Little
Callahan	Hall	Kirkland	Martin

McDonald	Proctor	Teague (B)	Weeks	
Miller	Smith	Teague (J)	White	
Mitchem	Taylor	Vacca		—22

Nays: —0

The Bill:

H. 618. To amend portions of Section 34-24-230, Code of Alabama, 1975, by the addition of definitions relating to the human foot; and to prescribe the surgical scope of the practice of podiatry.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Robertson	
Britnell	Higginbotham	McDonald	Smith	
Callahan	Holmes	Miller	Taylor	
Cook	Kirkland	Mitchem	Teague (B)	
Denton	Lemaster	Parsons	Teague (J)	
Gulledge	Little	Proctor	White	—23

Nays: —0

The Bill:

H. 633. To provide for the transfer of the property of the Huntsville State Docks to the Huntsville-Madison County Marina and Port Authority.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	Taylor	
Bailey	Holmes	McDonald	Teague (B)	
Britnell	Kirkland	Mitchem	Vacca	
Denton	Lemaster	Proctor	White	
Harrison	Little	Smith		—18

Nays: —0

The Bill:

H. 9. To validate, in certain cases, port authorities attempted to be incorporated under the provisions of Act No. 80-647 adopted at the 1980 Regular Session of the Legislature of Alabama (Sections 11-94-1 et seq. of the Code of Alabama 1975, as amended) and invalid because of any irregularity in the procedure for incorporation.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	deGraffenried	Higginbotham	Lemaster
Britnell	Denton	Holmes	Little
Cook	Hall	Kirkland	Martin

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Miller
Mitchem

Parsons
Proctor

Taylor
Teague (B)

Vacca
Weeks

—19

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 408. To transfer certain funds to the state parks division of the Department of Conservation and Natural Resources to be utilized exclusively for the development of Frank W. Jackson State Park from the state parks capital outlay fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 201. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983 and to provide that certain employees shall be brought up to the normal step under the state pay plan and to appropriate funds.

Also:

H. 73. To provide for a state income tax refund check-off designation for the support of nongame wildlife programs in Alabama.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 134. To amend Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline, motor fuel and lubricating oil by postsecondary state institutions shall be exempt from taxation under the levy provided for in Section 40-17-220, Code of Alabama, 1975.

was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	St. John	
Bailey	Hilliard	Mitchem	Taylor	
Cook	Holmes	Parsons	Teague (B)	
deGraffenried	Kirkland	Proctor	Vacca	
Hall	Little	Robertson	Weeks	
Harrison	Martin			—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 668. Relative to Class 1, 4, 5, 6, 7 and 8 municipalities, to amend Section 9 of Act No. 79-722, as heretofore amended by Act No. 80-315, to provide for the sale or for fair market value or lease for fair market rental of municipal property not needed for municipal or public purposes for use by a commercial enterprise in furnishing hotel services.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 275. COMMENDING HOUSE SPEAKER JOSEPH C. McCORQUODALE, JR., FOR DISTINGUISHED SERVICE TO THE LEGISLATURE AND TO THE STATE OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 565. To create a fund for the Alabama alcoholic beverage control board to be used for inventory purposes by providing that no taxes collected on alcoholic beverages sold by said board or such funds distributed as net profits by said board shall be distributed for at least 25 days by October 1,

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1983, for at least 55 days by September 30, 1984, for at least 85 days by September 30, 1985, for at least 115 days by September 30, 1986, for at least 120 days by September 30, 1987 and thereafter, after the close of the month in which said taxes have been collected or such funds distributed as net profits are realized; to provide that any funds now accumulated as a working capital fund or reserve shall be distributed to the several beneficiaries on the same basis as withheld; to provide that all laws or parts of laws in conflict or inconsistent herewith are repealed; to provide an effective date.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Kirkland	Parsons	Taylor
Hall	Lemaster	Proctor	Teague (B)
Higginbotham	Little	Robertson	Teague (J)
Hilliard	Miller	St. John	Vacca
Holmes	Mitchem	Smith	Weeks

—19

Nays:

—0

The Bill:

H. 640. To create mine rescue stations within the State of Alabama as a part of the Division of Safety and Inspection of the Department of Industrial Relations; to provide for the location, training, compensation, benefits, qualifications and employment status of said station members; and to provide requirements of recovery work.

was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hilliard	Mitchem	Smith
Britnell	Holmes	Parsons	Taylor
Cook	Kirkland	Proctor	Teague (B)
Denton	Lemaster	Robertson	Vacca
Gulledge	Little	St. John	Weeks
Hall	Miller		

—21

Nays:

—0

The Bill:

H. 755. To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

was taken up.

Mr. deGraffenried offered the following substitute for the Bill, H. B. 755, to-wit:

SUBSTITUTE FOR H. B. 755

A BILL
TO BE ENTITLED
AN ACT

To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8-8-10, Code of Alabama 1975, is hereby amended to read as follows:

"§8-8-10. Judgments for the payment of money, other than costs, if based upon a contract action, bear interest from the day of the cause of action at the same rate of interest as stated in said contract; all other judgments shall bear interest at the rate of twelve (12) percent per annum, the provisions of Section 8-8-1 of the Code of Alabama 1975 to the contrary notwithstanding; provided, that fees allowed a trustee, executor, administrator or attorney and taxed as a part of the cost of the proceeding shall bear interest at a like rate from the day of entry."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hall	Little	Smith	
Bailey	Harrison	Miller	Taylor	
Britnell	Higginbotham	Mitchem	Teague (B)	
Cook	Hilliard	Parsons	Teague (J)	
deGraffenried	Kirkland	Robertson	Vacca	
Denton	Lemaster	St. John	White	
Gulledge				—24

Nays: —0

And said Bill, H. B. 755, as thus amended by the substitute, was read a third time at length and passed.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Gulledge	Miller	Teague (B)	
Bailey	Higginbotham	Mitchem	Teague (J)	
Britnell	Kirkland	Parsons	Vacca	
Cook	Lemaster	St. John	Weeks	
deGraffenried	Martin	Smith	White	
Denton	McDonald	Taylor		—22

Nays: Messrs.: Hall, Hilliard Holmes and Little. —4

The Bill:

H. 725. To withdraw from incorporated municipalities the power to enact an ordinance outlawing or taxing the possession or ownership of handguns.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Britnell	Denton	Harrison
Bailey	Cook	Gulledge	Higginbotham

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Holmes	Martin	Robertson	Teague (B)
Kirkland	McDonald	St. John	Teague (J)
Lemaster	Mitchem	Smith	Weeks
Little	Proctor	Taylor	White

—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 97. To prohibit the training or possession of dogs used to fight other dogs; to prohibit the exhibition of fighting dogs; to prohibit attendance at exhibitions of fighting dogs; and to provide penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Higginbotham, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 97, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 97

On page 1, line 36, after the period, insert the following language:

The court shall award the animals to the humane society or other agency handling stray animals.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	Taylor
Britnell	Holmes	Mitchem	Teague (B)
Cook	Kirkland	Proctor	Teague (J),
Denton	Lemaster	Robertson	Vacca
Gulledge	Little	St. John	Weeks
Hall	Martin	Smith	White

—23

Nays: —0

FURTHER CONSIDERATION OF H. B. 780

The Senate proceeded to further consideration of the Bill, H. B. 780. The question was on the amendment offered by Mr. Bailey.

REPORTS OF COMMITTEES RESUMED

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Adams (H):

H. 246. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Reps. Harper (T) and Penry (With Amendments):

H. 740. To establish and provide for a seafoods advisory board of the department of conservation and natural resources; to provide for the composition of such board; and to prescribe its powers and duties.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Waggoner:

H. 305. To amend Section 41-16-51, Code of Alabama 1975, which exempts certain contracts from the requirements of the competitive bid law, so as to exempt contracts up for renewal entered into by municipalities for sanitation services.

By Reps. Kelley and Dial:

H. 724. To amend Section 36-26-15 of the Code of Alabama 1975 relating to the state merit system so as to further provide for the veteran's preference.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 80. To amend Sections 9-11-44, 9-11-47 and 9-11-49, Code of Alabama 1975, relating to certain resident and nonresident hunting licenses so as to increase the license fees for nonresident licenses, set the expiration date, provide for the contents of the license, set certain penalties and set the maximum number of deer which may be taken under a nonresident license.

Also:

H. 154. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

H. 155. To make appropriations for the support and maintenance of the Talladega College.

Also:

H. 156. To make appropriations for the support and maintenance of the Marion Military Institute.

Also:

H. 158. To make appropriations for the support and maintenance of the Walker County Junior College.

Also:

H. 397. To make appropriations for the support and maintenance of the Tuskegee Institute.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983; and to provide that certain employees shall be brought up to the normal step under the state pay plan; and to appropriate funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 35. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Also:

S. 31. To authorize the Highway Director to administer programs relative to public transportation in rural and urban areas, to perform public transportation planning, to provide technical assistance to local entities for

formulating public transportation projects, to assure that public transportation projects are in accordance with the comprehensive transportation planning process, to expend State funds apportioned by the legislature from time to time for public transportation, to develop and promulgate rules and regulations pertaining to public transportation, and to administer public transportation programs enacted by the Legislature of Alabama with such flexibility as is found to be in the public interest.

Also:

S. 37. To amend further Sections 11-46-20, 11-46-21, 11-46-22, 11-46-25, 11-46-27, 11-46-28, 11-46-36, 11-46-38, 11-46-41 and 11-46-55, Code of Alabama 1975, which Sections relate to election procedures in cities and towns of this state, in all municipalities except Class 1 municipalities, and except cities and towns organized under a commission form of government, so as to improve and clarify such election procedures.

Also:

S. 38. To amend further Sections 11-46-90, 11-46-92, 11-46-93, 11-46-96, 11-46-98, 11-46-99, 11-46-107, 11-46-109, 11-46-112 and 11-46-126, Code of Alabama 1975, as amended, which Sections relate to cities and towns, in all municipalities except Class 1 municipalities, and which are organized under a commission form of government, so as to improve and clarify such election procedures.

Also:

S. 169. To authorize the Alabama Court of Criminal Appeals to hire two staff attorneys and one secretary and to pay the necessary salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

Also:

S. 254. To establish the "Alabama Dental Services Corporation Act"; to authorize the organization and operation of dental services corporations and to provide exceptions; to prescribe public regulation of such corporations; to prescribe certain bond and security deposits, working capital, contract and certificate forms; to prescribe procedures for subscription rates, requirements of charters, articles of incorporation and bylaws and amendments thereto; to require certain operational and financial reports; to make certain insurance and criminal laws applicable to such corporations, including: Title 27, Chapters 1, 2, 4, 6, 8, 12 and 32, Title 13-A, Chapter 8, of the Code of Alabama 1975; to provide for requirements and eligibility of applicants and contracting sales agents, reporting and accounting of funds received, business and fiscal accountability and disclosures; to provide certain grounds and procedures for compulsory and discretionary revocation, suspension or refusal for registration for such agents; to authorize the assessment and collection of administrative fines in certain instances; to grant the commissioner of insurance and department of insurance certain powers, duties and responsibilities with respect to the supervision and regulation of such dental services corporations; to authorize the commissioner to formulate, issue and implement reasonable rules and regulations to carry out the provisions of the Act; to prescribe a time frame for certain actions to be made by the commissioner and department; to establish licensing requirements, fee requirements and the payment and disposition of such fees; to prescribe the mode of

reviewing, and mediating complaints; to authorize the department of insurance to make certain audits and examinations of such corporations; to prohibit any non-licensed or unauthorized persons, or persons who are not in compliance with the provisions of this Act, from using the phrase or functioning in dental services plans or otherwise hold themselves out as so authorized; to provide for such corporations existing prior to the passage of the provisions of this Act; to prescribe criminal penalties and punishment for violations of the provisions of this Act; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 84

S. J. R. 240

S. J. R. 241

S. J. R. 245

S. J. R. 251

S. B. 115

S. B. 508

S. B. 504

Delivered to the Governor April 20, 1982, at 3:37 P.M.

S. J. R. 254

S. J. R. 255

S. J. R. 258

S. J. R. 259

S. J. R. 260

S. J. R. 261

S. J. R. 262

S. J. R. 263

S. J. R. 264

S. J. R. 265

S. J. R. 266

S. B. 24

S. B. 41

S. B. 49
S. B. 129
S. B. 189
S. B. 288
S. B. 307
S. B. 315
S. B. 358
S. B. 423
S. B. 432
S. B. 459
S. B. 494
S. B. 531

Delivered to the Governor April 20, 1982, at 9:55 P.M.

S. B. 302

Delivered to the Secretary of State April 20, 1982, at 9:55 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 10:15 P.M., Mr. St. John moved that the Senate adjourn until Monday, April 26, 1982, at 11 o'clock A.M.

Mr. Hall offered a substitute motion that the Senate adjourn until Monday at 1 o'clock P.M., which motion was lost.

Mr. St. John then offered a substitute motion that the Senate adjourn until Monday at 11:30 A.M., which motion was adopted, and at 10:20 P.M., in accordance with Joint Resolution heretofore adopted, and pending further consideration of H. B. 780, the Senate adjourned until Monday, April 26, 1982, at 11:30 A.M.

THIRTIETH LEGISLATIVE DAY

MONDAY, APRIL 26, 1982

The Senate met pursuant to adjournment, Lieutenant Governor McMillan presiding.

PRAYER

The Session was opened with prayer by the Reverend Dewey Corder, Pastor, Eastern Hills Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Lemaster	Robertson	

—34

JOURNAL

On motion of Mr. St. John, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE

On motion of Mr. St. John, leave of absence was granted Mr. Glass for today.

POINT OF PERSONAL PRIVILEGE

Mr. Vacca, retiring "Dean of the Senate", received permission to address the following remarks to the Senate and have them spread upon the Journal, to-wit:

Mr. President and my dear Colleagues:

I rise today on a point of personal privilege with a deep stirring of mixed feelings.

While no one would classify "Uncle Pat" Vacca as a swan, this is my "swan" song before a body I have served for 16 years, after 8 years with that rowdy bunch across the rotunda.

When you look back on 24 years of service, you cannot escape the looking back and I'm going to indulge myself a bit here today.

But first, let me answer the question I am asked most often:

"Why in the world, Pat, did you stay in for so long?"

And my answer, which is straight from the heart, has always been, "Because I owe the State of Alabama and its people a debt of gratitude for the way they opened their arms to a poor boy from Pennsylvania back in 1919."

They made me feel at home. They nurtured me. They educated me. And they have honored me in so many ways for the past 60 odd years that I can never repay them.

If there has been one controlling factor in my life, it has been the words of the man from Galilee, who told those who followed him—"Love thy neighbor as thyself."

Yes, the Golden Rule is the rule to live by.

Alabama offered me the chance to demonstrate the value of that rule, as an attorney, as a judge and as a legislator, and I hope that my adherence to the rule has benefitted a few people along the way.

The 24 years I have spent on "The Hill" were some of the most tumultuous years in this State's history.

History will be the final judge of our actions, and I do not believe that we will be judged too harshly.

We have built an educational system of which we can be proud. And while there never seems to be enough revenue to do all the things we would like to do, I like to think that we got the most mileage out of what we did have.

While we are still beset by problems, we have solved many others and we will solve many others.

It isn't a cushy job—being a member of a legislative body and anyone who thinks it is needs to sit through a session or two. I'm not complaining about the hard work—I relish it. And whenever I feel like it's just too much, I think of the old expression made on this floor many times by one of the best lawmakers and orators we've ever had—Sen. Bob Wilson of Jasper.

When the going got rough, and adjournment motions began flying around, Sen. Wilson would admonish us with the remark, "Gentlemen, if you didn't want to work, you shouldn't have signed on."

I can proudly say that I wanted to work and the fact that I missed only one day in my 24 years should be proof of it.

And it has come to me over the past few months, as I contemplated this moment, that I could not sit down for the last time in this chamber without mentioning some of the "giants" with whom I have served.

I cannot mention everyone, of course. And failure to mention any one of the men or women I have served with does nothing to lessen the esteem in which I hold them all.

Someone asked me the other day about the most outstanding orators in my experience. I really can't name a "best" orator of the past 24 years but I can give you a list to select from.

- * Sen. Bob Wilson of Jasper, an orator of the old school.

- * The late, great E. J. Skidmore of Tuscaloosa, a classic orator.

- * The late Ryan deGraffenried of Tuscaloosa, whose son sits with us here today.

- * The flamboyant Pierre Pelham of Mobile, whose arguments still echo in this chamber.

* The quixotic Stewart O'Brannon, whose oratory made us smile and think.

There are others, but let us turn to other talents.

In any deliberative body, you must have a few "shakers and movers," a few who thoroughly understand parliamentary procedure, who know how to maneuver, how to compromise and when not to.

When I think of these, I cannot help but think of the former two term speaker, the incomparable Rankin Fite of Hamilton. I remember him at his prime and recall his great ability never weakening even with the illness which would have put lesser men out of action.

I recall the late, great Joe Goodwyn of Montgomery, the affable "Honey Bear", whose sheer talent and understanding of the legislative process put us all to shame.

Then there was Lt. Gov. and later U. S. Sen. Jim Allen, whose parliamentary skills, finely honed in this chamber, served him so well in Washington.

I remember fondly the great abilities of Albert Brewer, who served as House Speaker, as Lieutenant Governor and as Governor and who had as firm an understanding of Alabama problems and needs as any one who ever served our State.

Four legislators I served with went on to congressional seats—Tom Bevill, Bill Nichols and Ronnie Flippo, who are still in the U.S. House; and Donald Stewart, who was in the Senate for a short term.

I remember the late Sen. Walter Givhan and E. J. Skidmore, the astute Bob Harris, the artful Jimmy Clark, the crafty "Wily Fox from Wilcox—Roland Cooper—and the "motorized mouth"—my very capable colleague from Jefferson—George Lewis Bailes. I remember the volatile Senator "Huff and Puff"—Alton Turner; the very learned and talented Senators Ollie Nabors of Gadsden, Sid McDonald of Arab and "Bo" Torbert of Opelika who is presently our Chief Justice.

I have enjoyed a very pleasant relationship, with you, Mr. President, and in fact, with all those who held that chair—Jere Beasley—Joe Goodwyn—Albert Brewer—Albert Boutwell and Jim Allen—during my four Senate terms.

I have found that I always received a fair and polite hearing on all my problems, and even-handed treatment both on and off the floor.

And so, Mr. President, and colleagues in the Senate, with these remarks I'm going to formally end 24 years of service as a state legislator.

I'll miss it all.

I'll miss you all.

But sing no sad songs for Pat Vacca.

I'll carry with me more than I possibly could have given. But I hope that I have repaid a good portion of the debt I owe this great state and its wonderful people.

My memories of you, of this place, will nourish me well for the balance of my years.

THANK YOU.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 339. To amend Section 20-2-53, Code of Alabama, 1975, to provide for an appeal of any action of a certifying board denying, suspending or revoking a registration or refusing the renewals of a registration whether or not such suspension, revocation, or registration is limited; to specify the procedure for taking such an appeal including the time within which a petition for a review must be filed; to provide that the venue for an appeal shall be in the Circuit Court of Montgomery County; to provide that the Circuit Court is specifically authorized to exercise its own discretion as to questions of fact as well as law; to provide that the effect of a certifying board's order shall be stayed pending the Circuit Court's determination of the case; to provide for an appeal from the judgment of the Circuit Court; to provide that a decision of the Circuit Court shall not be stayed or held in abeyance pending further appeal; and to provide that the provisions of this act shall take precedence over the provisions of the Alabama Administrative Procedure Act.

Also:

S. 340. To further specify venue for the judicial review of the administrative decisions of the State Board of Medical Examiners and the Medical Licensure Commission.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 182. To provide authority for the state board of education to appoint a Chancellor to serve as the chief executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools, and Athens College; to create a department of postsecondary education provide that the board shall set salary of its chief executive officers; establish the authority of the board and Chancellor regarding the junior colleges and trade schools and the Office of the Chancellor; and provide authority for administrative actions necessary to govern the junior colleges and trade schools.

by a majority of the whole number elected to the House, said vote being Yeas 63; Nays 1.

And said Bill, S. B. 182, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the House, said vote being Yeas 66; Nays 4.

And said Bill, S. B. 182, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 47. To provide for the creation and organization of the Alabama Department of Environmental Management; to provide for legislative intent and purposes of the Act; to provide for definitions; to provide for powers and functions of the Department; to provide for an Environmental Management Commission within the Department; to provide for powers and functions of the Environmental Management Commission; to provide for appeals of administrative actions; to provide for adopting rules and regulations; to provide for the transfer of functions and personnel; to provide for the repeal of, exemption from or amendment of certain sections of the Code of Alabama 1975, as amended; to provide for the creation of the Alabama Department of Environmental Management Fund; to provide for the transfer for personnel, funds, functions, and equipment of the Coastal Area Board to the Office of State Planning and Federal Programs; to provide for the creation of a Coastal Resources Advisory Committee; to provide for the severability of provisions of the Act; and to provide for an effective date of this Act.

And the Speaker of the House has appointed as a Committee on the part of the House Reps. Kelley, Roberts and Cabaniss.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 777. To repeal Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, p. 990-991); and Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, p. 1630-1631) providing for minimum compensation for Deputy Sheriffs in Mobile County; to fix such compensation at the amounts hereinafter included in this Act and to provide that subsequent salary increases for such Deputy Sheriffs be equal to any such increases given other Mobile County employees.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 755. To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 221. To further provide for taxation relating to the sale of alcoholic beverages; to levy an additional state sales tax on the sale of alcoholic beverages sold at retail in Alcoholic Beverage Control Board stores; to provide that the revenues produced from the additional tax shall be collected by the Alcoholic Beverage Control Board and paid to the Department of Revenue for distribution; to allow the Department of Revenue to retain a reasonable sum for the cost of collection and redistribution of the net proceeds; to prescribe that all net proceeds generated by this act shall be distributed to the counties and municipalities in which the taxes are collected; to provide that the tax proceeds distributed to counties shall be used by those counties for law enforcement purposes unless otherwise provided by local act; and to prohibit any county or municipality which receives proceeds pursuant to the provisions of this act from levying any additional taxes on the sale of alcoholic beverages which would be collected by the Alabama Alcoholic Beverage Control Board or its stores.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 265. To provide that any justice or judge of the supreme court or a court of appeals or any circuit court judge who was holding office with such court on or before June 1, 1976, and who had time of service as a full-time state prosecutor or assistant prosecutor, or who had time of service as an attorney for the state milk control board, may have such service credited as time in a judicial position with the Judicial Retirement System; to provide that such credit shall be limited to 5 years; to provide that any such justice or judge must pay into the Judicial Retirement Fund a sum equal to 6% of his then annual salary for each year of such credit desired; and to further provide a one-year period in which such election and purchase shall be completed.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 91. Relating to Class I municipalities, and any municipality having a population of 250,000 or more according to the last or any subsequent federal decennial census, to authorize the Mayor of any such municipality in this state to employ for and on behalf of said municipality a Chief Administrative Assistant to the Mayor, to provide how the maximum salary of the Chief Administrative Assistant shall be determined by the Mayor, to preserve salary and merit system rights of classified employees appointed to the

Mayor's staff, and to provide that such employee shall not be subject to any merit system while serving on the Mayor's staff but shall be a member of any pension system applicable to merit system employees, provided application for such membership be made within thirty (30) days of appointment.

by a majority of those voting, said vote being Yeas 12, Nays 2.

And said Bill S. B. 91, as amended by the Executive amendment, was again read at length and passed by a majority of those voting, said vote being Yeas 10, Nays 6.

And said Bill, S. B. 91, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 243. URGING THE AUBURN BOARD OF TRUSTEES TO CONSIDER NAMING A BUILDING ON CAMPUS FOR ROBERT BRYANT STRONG.

Also:

S. J. R. 246. REQUESTING THE STATE DEPARTMENT OF REVENUE TO IMMEDIATELY CEASE COLLECTION OF STATE SALES TAX ON FEES CHARGED BY PUBLIC GOLF COURSES.

Also:

S. J. R. 268. ENCOURAGING THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BIRMINGHAM TO USE ANY UNPLEDGED NEW MONEY COMING IN UNDER THE RECENTLY ENACTED LEVELIZED BEER TAX TO PAY CITY EMPLOYEE PAY RAISES AND LONGEVITY PAY.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Lemaster offered the following Senate Resolutions, to-wit:

S. R. 276. CONGRATULATING RHONDA LaVERNE SHUSTER, STATE 4-H JUNIOR LEADERSHIP WINNER.

Also:

S. R. 277. CONGRATULATING ROBYN ANN BURKHALTER, NATIONAL 4-H BREADS WINNER AND RECIPIENT OF A \$1,000 SCHOLARSHIP.

Which were adopted.

Mr. McDonald offered the following Senate Joint Resolution, to-wit:

S. J. R. 278. COMMENDING MR. J. T. COLLINS OF ATHENS, LIMESTONE COUNTY, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

WHEREAS, Mr. J. T. Collins, who is a native and lifelong resident of Limestone County, Alabama, currently resides in Athens where he has been engaged in business since 1960; and

WHEREAS, Mr. Collins also has long been prominently involved in the civic and charitable affairs of his community, devoting much of his time and effort to the interest and well-being of his fellow citizens; and

WHEREAS, he is a past president and current member of the board of both the Athens-Limestone County Chamber Commerce and the Athens-Limestone Development Association; he is an active member of the Market Street Church of Christ and the Athens Civitan Club and, as a veteran of the Korean Conflict, is a member of the VFW and the American Legion; and

WHEREAS, Mr. Collins additionally has served as chairman of his area's Farm City Week since its inception, is the organizer of the Limestone County Builders Association and serves as well on the Legislative Committee of the Alabama-Georgia Hardware Association; and

WHEREAS, further, on two occasions, Mr. Collins most commendably has chaired fund raising drives to help pay the costs of necessary medical treatment for two young victims of tragedy in his community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. J. T. Collins of Athens, Limestone County, Alabama, for outstanding community service and direct that he receive a copy of this resolution in declaration of our sincere warm praise and utmost regard.

On motion of Mr. McDonald, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 203. MOURNING THE DEATH OF MR. MONROE LEE ADAMS OF TUSCALOOSA COUNTY, ALABAMA.

On motion of Mr. Robertson, said Resolution was then adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee in Session, had acted on the following House Joint Resolution and ordered same returned to the senate with a favorable report, to-wit:

H. J. R. 114. COMMENDING CAROLINE S. CAVANAUGH AND THE BUREAU OF PUBLICITY AND INFORMATION FOR THEIR PUBLICATION "ALABAMA THE BEAUTIFUL".

On motion of Mr. McDonald, said Resolution was then concurred in and adopted by the Senate.

REGULAR SESSION
30th Day

1689

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 306. ENDORSING AND COMMENDING SEPTEMBER 19, 1982, AS "FAMILY DAY".

On motion of Mr. Weeks, said Resolution was then concurred in and adopted by the Senate.

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Frederick J. Rux to the Alabama Board of Examiners of Landscape Architects.

On motion of Mr. McDonald, the appointment of Mr. Rux was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Higginbotham	Martin	St. John
Bailey	Holmes	McDonald	Smith
Britnell	Keener	Parsons	Teague (B)
Callahan	Lemaster	Proctor	Teague (J)
Denton	Little	Robertson	Weeks
Hall			—20

Nays: —0

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mr. Michael Huey Capps and Sergeant Charles L. Ray to the Polygraph Examiners Board.

On motion of Mr. McDonald, the appointment of Mr. Capps was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	St. John
Bailey	Holmes	Miller	Smith
Cook	Lemaster	Parsons	Teague (B)
deGraffenried	Little	Proctor	Teague (J)
Denton	Martin	Robertson	White
Hall			—20

Nays: —0

On motion of Mr. McDonald, the appointment of Sergeant Ray was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Higginbotham	McDonald	St. John	
Bailey	Holmes	Miller	Smith	
Cook	Lemaster	Parsons	Teague (B)	
deGraffenried	Little	Proctor	Teague (J)	
Denton	Martin	Robertson	White	
Hall				—20

Nays: —0

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to a reappointment to the Alabama State University Board of Trustees.

Respectfully submitted,

BOB A. DAVIS,
State Administrations Officer.

Done this 26th day of April, 1982.

To The Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, the following:

Mr. Andrew M. Hayden
Mayor
P.O. Box 6
Uniontown, Alabama 36786
Term Expires Jnauary 31, 1988

as a member of the Alabama State University Board of Trustees.

Respectfully,

FOB JAMES,
Governor.

Done this 26th day of April, 1982.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of Mr. Andrew M. Hayden to the Alabama State University Board of Trustees, was read and referred to the Standing Committee on Rules.

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Messrs. J. R. Barnard and Roger W. Hester to the Credit Union Board of the Bureau of Credit Unions.

On motion of Mr. McDonald, the appointment of Mr. Barnard was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor
Bailey	Holmes	McDonald	St. John
deGraffenried	Keener	Miller	Teague (B)
Goodwin	Lemaster	Mitchem	White
Gulledge	Little	Parsons	—18

Nays: —0

On motion of Mr. McDonald, the appointment of Mr. Hester was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Proctor
Bailey	Holmes	McDonald	St. John
deGraffenried	Keener	Miller	Teague (B)
Goodwin	Lemaster	Mitchem	White
Gulledge	Little	Parsons	—18

Nays: —0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 257. MOURNING THE DEATH OF MRS. MARIE REYNOLDS LEWIS OF BESSEMER, ALABAMA.

Also:

S. J. R. 275. COMMENDING HOUSE SPEAKER JOSEPH C. McCORQUODALE, JR., FOR DISTINGUISHED SERVICE TO THE LEGISLATURE AND TO THE STATE OF ALABAMA.

Also:

S. 31. To authorize the Highway Director to administer programs relative to public transportation in rural and urban areas, to perform public transportation planning, to provide technical assistance to local entities for formulating public transportation projects, to assure that public transportation projects are in accordance with the comprehensive transportation planning process, to expend State funds apportioned by the legislature from time to time for public transportation, to develop and promulgate rules and regulations pertaining to public transportation, and to administer public transportation programs enacted by the Legislature of Alabama with such flexibility as is found to be in the public interest.

Also:

S. 35. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Also:

S. 37. To amend further Sections 11-46-20, 11-46-21, 11-46-22, 11-46-25, 11-46-27, 11-46-28, 11-46-36, 11-46-38, 11-46-41 and 11-46-55, Code of Alabama 1975, which Sections relate to election procedures in cities and towns of this state, in all municipalities except Class 1 municipalities, and except cities and towns organized under a commission form of government, so as to improve and clarify such election procedures.

Also:

S. 38. To amend further Sections 11-46-90, 11-46-92, 11-46-93, 11-46-96, 11-46-98, 11-46-99, 11-46-107, 11-46-109, 11-46-112 and 11-46-126, Code of Alabama 1975, as amended, which Sections relate to cities and towns, in all municipalities except Class 1 municipalities, and which are organized under a commission form of government, so as to improve and clarify such election procedures.

Also:

S. 52. To create the Alabama board of optometric scholarship awards and to make an appropriation from the Alabama special educational trust fund to such board for the financing and administering of scholarship loans.

Also:

S. 97. To prohibit the training or possession of dogs used to fight other dogs; to prohibit the exhibition of fighting dogs; to prohibit attendance at exhibitions of fighting dogs; and to provide penalties for violations.

Also:

S. 169. To authorize the Alabama Court of Criminal Appeals to hire two staff attorneys and one secretary and to pay the necessary salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

Also:

S. 254. To establish the "Alabama Dental Services Corporation Act"; to authorize the organization and operation of dental services corporations and to provide exceptions; to prescribe public regulation of such corporations;

to prescribe certain bond and security deposits, working capital, contract and certificate forms; to prescribe procedures for subscription rates, requirements of charters, articles of incorporation and bylaws and amendments thereto; to require certain operational and financial reports; to make certain insurance and criminal laws applicable to such corporations, including: Title 27, Chapters 1, 2, 4, 6, 8, 12 and 32, Title 13-A, Chapter 8, of the Code of Alabama 1975; to provide for requirements and eligibility of applicants and contracting sales agents, reporting and accounting of funds received, business and fiscal accountability and disclosures; to provide certain grounds and procedures for compulsory and discretionary revocation, suspension or refusal for registration for such agents; to authorize the assessment and collection of administrative fines in certain instances; to grant the commissioner of insurance and department of insurance certain powers, duties and responsibilities with respect to the supervision and regulation of such dental services corporations; to authorize the commissioner to formulate, issue and implement reasonable rules and regulations to carry out the provisions of the Act; to prescribe a time frame for certain actions to be made by the commissioner and department; to establish licensing requirements, fee requirements and the payment and disposition of such fees; to prescribe the mode of reviewing and mediating complaints; to authorize the department of insurance to make certain audits and examinations of such corporations; to prohibit any non-licensed or unauthorized persons, or persons who are not in compliance with the provisions of this Act, from using the phrase or functioning in dental services plans or otherwise hold themselves out as so authorized; to provide for such corporations existing prior to the passage of the provisions of this Act; to prescribe criminal penalties and punishment for violations of the provisions of this Act; and to provide an effective date.

Also:

S. 348. To authorize the state to join a compact between the states of Mississippi and Louisiana for the purpose of studying the feasibility of rapid rail transit service between the states; to authorize the Governor to join the compact; and to establish a joint interstate commission for such purpose.

Also:

S. 353. To further amend Sections 40-18-5, 40-18-14, 40-18-15, 40-18-19, 40-18-25, 40-18-30, 40-18-35, 40-18-71, and 40-18-81, Code of Alabama 1975, relating to the income tax so as to change the rates of taxation, enable married persons to file joint returns, increase the optional standard deduction, conform certain exclusions and deductions to federal law, allow deductions for contributions to individual retirement accounts and individual retirement annuities and to provide for the taxation of distributions from such accounts and annuities, allow deductions for contributions by self-employed individuals to qualified plans on their behalf, conform to federal law the deduction by corporations for contributions to qualified plans, allow exemption from the income tax of certain charitable, etc, entities which are exempt from federal income tax, provide for the personal exemption not to be prorated in the year of an individual taxpayer's death, and modify the requirement of withholding income taxes to reflect the above.

Also:

S. 408. To transfer certain funds to the state parks division of the Department of Conservation and Natural Resources to be utilized exclusively for the development of Frank W. Jackson State Park from the state parks capital outlay fund.

Also:

S. 426. To amend Sections 1 and 5 of Act No. 651, H. 1555 of the 1973 Special Session (Acts 1973, p. 972), which created an Industrial Development Authority for Tuscaloosa County so as to provide further for the composition of the board of such authority and to prescribe certain tax exempt status and security for bonds issued by said authority.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state at the same time set by law in Section 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify a list of the signatures of at least one percent of the electors of the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirement of federal, state or local laws.

Also:

H. 329. To amend Section 11-54-95 of the Code of Alabama 1975 so as to permit the filing of for record in the office of the judge of probate without the payment of any tax or fees (other than recording fees) not only any leases made by a municipal industrial development board but also any agreements or contracts of sale made by any such board and any deeds or other documents whereby properties are conveyed by any such board pursuant to a contractual obligation or as a result of the exercise of an option granted by such board, and so as to provide that such documents, as well as the others referred to in said Code section, may be so filed without the payment of any taxes or fees (other than recording fees) not only in the office of the judge of probate of the county in which such board is organized but also in the office of the judge of probate of any county in which any property involved is located.

Also:

H. 331. To permit any person or entity to sell diesel fuel for the use in the operation of any motor vehicle upon the highways of this state and diesel fuel for off-highway purposes from the same tank and the same pump if certain requirements are met.

Also:

H. 480. To provide a sixteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

Also:

H. 668. Relative to Class 1, 4, 5, 6, 7 and 8 municipalities, to amend Section 9 of Act No. 79-722, as heretofore amended by Act No. 80-315, to provide for the sale or for fair market value or lease for fair market rental of municipal property not needed for municipal or public purposes for use by a commercial enterprise in furnishing hotel services.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 28. To amend Section 29-1-9, Code of Alabama 1975, relating to compensation of legislative interim committees, so as to remove the one-time mileage restriction.

Also:

H. 75. To amend section 41-16-51, Code of Alabama 1975, as amended, relating to competitive bids so as to exempt purchases of Local Housing Authorities organized under Chapter 1, Title 24, Code of Alabama 1975, from monies other than those raised by state, county or city taxation or received through appropriations from state, county or city sources.

Also:

H. 100. To sepcifically prohibit the manufacture, distribution, possession, advertisement and sale to minors of "look alike" or imitation controlled substances; to establish definitions and penalties; to provide for seizure and forfeiture of such substances.

Also:

H. 283. To amend further section 36-25-1, Code of Alabama 1975, relating to the code of ethics for public officials and employees, so as to exempt certain firemen from the provisions of such code of ethics.

Also:

H. 289. To define certain terms; to provide that possession, obtaining, receiving, selling or using a short-barreled rifle or short-barreled shotgun, except by a peace officer acting in the course of or in connection with his

official duties, is a Class C felony; to provide that changing, altering, removing, or obliterating the name of the maker, model, manufacturer's number or other mark or identification of any firearm, or possession such a firearm, is a Class C felony; to provide that violation of this act in the course of or in connection with the commission of another felony shall be punished as a Class B felony; to provide that this act is supplemental to any other law and its penalties are in addition to those otherwise provided by law; to repeal § 13A-11-82; to provide that the provisions of this act are severable; and to provide that this act shall become effective immediately.

Also:

H. 301. To amend Section 36-7-21, providing for out-of-state travel for State employees; to allow the Commissioner of Agriculture and Industries to approve out-of-state travel requests of persons representing the State Department of Agriculture and Industries.

Also:

H. 519. To amend Section 16-13-213, Code of Alabama 1975, relating to board of education notes in anticipation of warrants, so as to alter the period of refund, renewal or extension.

Also:

H. 362. Establishing the criminal offense of pharmacy robbery as a separate class of robbery under the criminal code of this state and prescribing certain penalties therefor.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a Quorum of the Senate present, and immediately after the titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 73. To provide for a state income tax refund check-off designation for the support of nongame wildlife programs in Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 369. COMMENDING SEMINOLE ELECTRIC COOPERATIVE, INC. FOR ITS CONTRIBUTION TO THE ECONOMIC DEVELOPMENT OF ALABAMA.

Also:

H. J. R. 375. COMMENDING THE FIRST BAPTIST CHURCH OF OPP, ALABAMA, ON THE 80TH ANNIVERSARY OF ITS FOUNDING.

Also:

H. J. R. 376. COMMENDING MISS KAY IVEY FOR OUTSTANDING SERVICE TO THE ALABAMA HOUSE OF REPRESENTATIVES.

Also:

H. J. R. 377. COMMENDING SENIOR FORWARD CHRIS GILES OF THE UNIVERSITY OF ALABAMA-BIRMINGHAM BLAZERS.

Also:

H. J. R. 379. ENCOURAGING THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BIRMINGHAM TO USE ANY UNPLEDGED NEW MONEY COMING IN UNDER THE RECENTLY ENACTED LEVELIZED BEER TAX TO PAY CITY EMPLOYEE PAY RAISES AND LONGEVITY PAY.

Also:

H. J. R. 381. MOURNING THE DEATH OF MRS. MARY JANE WOOLFOLK OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 382. HONORING MR. GEORGE G. McFADEN.

Also:

H. J. R. 388. COMMENDING MRS. ERIE H. MEYER.

Also:

H. J. R. 391. ACKNOWLEDGING THE GRATITUDE OF THE ALABAMA LEGISLATURE OF THE SECRETARIES ON THE HOUSE AND SENATE STAFF.

Also:

H. J. R. 392. DESIGNATING THE WEEK OF JULY 11-17, 1982, AS NATIONAL COUNTRY-GOSPEL MUSIC WEEK IN ALABAMA.

Also:

H. J. R. 393. ACKNOWLEDGING THE GRATITUDE OF THE ALABAMA LEGISLATURE TO THE PORTERS ON THE HOUSE AND SENATE STAFF.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 9. To validate, in certain cases, port authorities attempted to be incorporated under the provisions of Act No. 80-647 adopted at the 1980 Regular Session of the Legislature of Alabama (Sections 11-94-1 et seq. of the Code of Alabama 1975, as amended) and invalid because of any irregularity in the procedure for incorporation.

Also:

H. 134. To amend Section 40-17-220, Code of Alabama, 1975, to provide that purchases of gasoline, motor fuel and lubricating oil by postsecondary state institutions shall be exempt from taxation under the levy provided for in Section 40-17-220, Code of Alabama, 1975.

Also:

H. 221. To further provide for taxation relating to the sale of alcoholic beverages; to levy an additional state sales tax on the sale of alcoholic beverages sold at retail in Alcoholic Beverage Control Board stores; to provide that the revenues produced from the additional tax shall be collected by the Alcoholic Beverage Control Board and paid to the Department of Revenue for distribution; to allow the Department of Revenue to retain a reasonable sum for the cost of collection and redistribution of the net proceeds; to prescribe that all net proceeds generated by this act shall be distributed to the counties and municipalities in which the taxes are collected; to provide that the tax proceeds distributed to counties shall be used by those counties for law enforcement purposes unless otherwise provided by local act; and to prohibit any county or municipality which receives proceeds pursuant to the provisions of this act from levying any additional taxes on the sale of alcoholic beverages which would be collected by the Alabama Alcoholic Beverage Control Board or its stores.

Also:

H. 618. To amend portions of Section 34-24-230, Code of Alabama, 1975, by the addition to definitions relating to the human foot; and to prescribe the surgical scope of the practice of podiatry.

Also:

H. 633. To provide for the transfer of the property of the Huntsville State Docks to the Huntsville-Madison County Marina and Port Authority.

Also:

H. 565. To create a fund for the Alabama alcoholic beverage control board to be used for inventory purposes by providing that no taxes collected

on alcoholic beverages sold by said board or such funds distributed as net profits by said board shall be distributed for at least 25 days by October 1, 1983, for at least 55 days by September 30, 1984, for at least 85 days by September 30, 1985, for at least 115 days by September 30, 1986, for at least 120 days by September 30, 1987 and thereafter, after the close of the month in which said taxes have been collected or such funds distributed as net profits are realized; to provide that any funds now accumulated as a working capital fund or reserve shall be distributed to the several beneficiaries on the same basis as withheld; to provide that all laws or parts of laws in conflict or inconsistent herewith are repealed; to provide an effective date.

Also:

H. 640. To create mine rescue stations within the State of Alabama as a part of the Division of Safety and Inspection of the Department of Industrial Relations; to provide for the location, training, compensation, benefits, qualifications and employment status of said station members; and to provide requirements of recovery work.

Also:

H. 687. To amend Section 40-18-19, so as to provide that the retirement pay of certain peace officers shall be exempt from state and local income tax the same as retirement pay of school teachers, state employees and civil service retirees.

Also:

H. 725. To withdraw from incorporated municipalities the power to enact an ordinance outlawing or taxing the possession or ownership of handguns.

Also:

H. 755. To amend Section 8-8-10, Code of Alabama 1975, relating to interest on money judgments and costs, so as to provide further for the rate of interest.

Also:

H. 265. To provide that any justice or judge of the supreme court or a court of appeals or any circuit court judge who was holding office with such court on or before June 1, 1976, and who had time of service as a full-time state prosecutor or assistant prosecutor, or who had time of service as an attorney for the state milk control board, may have such service credited as time in a judicial position with the Judicial Retirement System; to provide that such credit shall be limited to 5 years; to provide that any such justice or judge must pay into the Judicial Retirement Fund a sum equal to 6% of his then annual salary for each year of such credit desired; and to further provide a one-year period in which such election and purchase shall be completed.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. Speaker:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 777. To repeal Act No. 710, H. 1102, 1976 Regular Session (Acts 1976, p. 990-991); and Act No. 80-797, S. 610, 1980 Regular Session (Acts 1980, p. 1630-1631) providing for minimum compensation for Deputy Sheriffs in Mobile County; to fix such compensation at the amounts hereinafter included in this Act and to provide that subsequent salary increases for such Deputy Sheriffs be equal to any such increases given other Mobile County Employees.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

RESOLUTION

Mr. Little offered the following Senate Resolution, to-wit:

S. R. 279. MEMORIALIZING THE SENATE RULES COMMITTEE TO CONSIDER THE CONSTITUTIONAL ASPECTS CONCERNING THE DATE OF SUBMISSION OF THE REPORT OF THE JUDICIAL COMPENSATION COMMISSION.

WHEREAS, the 1982 legislative session convened on January 12, 1982; and

WHEREAS, "The Report of the State Judicial Compensation Commission to the 1982 Session of the Alabama Legislature" was certified to the Secretary of State and submitted to the Legislature on January 11, 1982, which was one day prior to the convening of the Legislature; and

WHEREAS, Section 6.09 of Article VI of the Constitution of Alabama of 1901 states that the State Judicial Compensation Commission shall submit its report to the Legislature within the first five calendar days of any session; and

WHEREAS, the Commission's report was received by the Alabama Senate on January 19, 1982, which was not within the aforementioned time limitation; and

WHEREAS, a copy of Section 6.09 of Article VI of the Constitution of Alabama of 1901 and a copy of "The Report of the State Judicial Compensation Commission to the 1982 Session of the Alabama Legislature" are attached and are hereby incorporated into and made a part of this resolution; and

WHEREAS, the Senate Rules Committee has not acted upon the Report and today is the 30th legislative day; now therefore,

BE IT RESOLVED BY THE SENATE OF THE ALABAMA LEGISLATURE, That we hereby memorialize the Senate Rules Committee to consider possible constitutional violations concerning the date that "The Report of the State Judicial Compensation Commission to the 1982 Session of the Alabama Legislature" was submitted.

BE IT FURTHER RESOLVED, That a copy of this resolution and incorporated attachments be given to each member of the Senate Rules Committee.

FURTHER RESOLVED, That the State Judicial Compensation Commission receive a copy of this senate resolution so that they may know of our concern that procedural compliance is mandated by this constitutional provision.

AMEND. NO. 328 CONSTITUTION OF ALABAMA OF 1901

6.09. Judicial Compensation.

(a) A state judicial compensation commission is hereby created which shall recommend the salary and expense allowances to be paid from the state treasury for all judges of this state except for judges of the probate court. The commission shall consist of five members; one shall be appointed by the governor, one by the president of the senate, one by the speaker of the house, and two by the governing body of the Alabama state bar.

(b) Members of the judicial compensation commission shall serve for terms of four years. Any vacancy on the commission shall be filled in the same manner in which such position was originally filled. The legislature shall appropriate sufficient funds for the expenses of the commission.

(c) No member of the commission shall hold any other public office, or office in any political party, and no member of the commission shall be eligible for appointment to a state judicial office so long as he is a member of the commission and for two years thereafter.

(d) The commission may submit a report to the legislature at any time within the first five calendar days of any session. The recommendations of the commission shall become law unless rejected by a joint resolution or altered by act of the legislature at the session to which the report is submitted. The compensation of a judge shall not be diminished during his official term.

Collateral references—20 Am. Jur. 2d. Judges & 50 et seq.

What amounts to practice of law within contemplation of constitutional or statutory provision which forbids such practice by one holding a judicial position. 106 ALR 508.

REPORT OF THE STATE JUDICIAL COMPENSATION COMMISSION
TO THE 1982 SESSION OF THE ALABAMA LEGISLATURE

The Judicial Compensation Commission hereby files its reports with the 1982 Regular Session of the Alabama Legislature.

The Commission notes that State appellate and trial judges received no salary adjustment in the 1981 regular session of the legislature through either the report of this commission or by legislative act.

In considering the recommendations for state judicial compensation, this commission concluded that the circuit judges of this state should be compensated at an amount equal to the annual salary paid to United States District

judges and that our appellate judges should receive compensation commensurate with the judges of the United States Courts of Appeals. Presently, these federal judges are paid over \$20,000 more per annum than comparable state judges. The judges of our state courts come from the same rank and file of legal profession as do federal judges. They try the same serious cases; they are just as competent; and their caseloads are double their counterparts in the federal system.

This commission, however, is cognizant of the practical realities regarding salary ranges in the state government. In an attempt to recognize the realities of the present, we offer to the Legislature a recommendation which we feel is entirely realistic.

We particularly note that the compensation of many state officials exceeds what we recommend for our state's appellate, circuit and district judges, so therefore we clearly do not regard our recommendations as excessive. They are, at best, an improvement and will, hopefully, be sufficient to retain, and in the future attract competent and dedicated persons to the task of making decisions which affect the life, liberty and property of the citizens of our state.

Accordingly, it is recommended to the Legislature that the annual salary and expenses allowance to be paid from the State Treasury for appellate, circuit, and district judges of this state be fixed as follows:

Supreme Court of Alabama

Chief Justice	\$58,500.00
Associate Justices	\$58,000.00

Court of Criminal Appeals and
Court of Civil Appeals

Presiding Judges	\$57,500.00
Associate Judges	\$57,000.00

Circuit Court Judges\$48,000.00

District Court Judges\$38,400.00 (80% of circuit judges' pay)

ADOPTED by the affirmative vote of the below named four members of the Judicial Compensation Commission with one dissent, which is attached hereto and made a part thereof.

CERTIFIED to the Secretary of the State of Alabama and submitted to the Legislature on this 11th day of January, 1982.

J. CLEWIS TRUCKS,
Chairman.

O. D. MASON, JR.,
BOYD WHIGHAM,

T. MASSEY BEDSOLE.

DISSENT

I respectfully dissent.

The arguments are persuasive. The suggested salaries are not unreasonable. Everyone involved is a friend of mine. Nevertheless, as a matter of

principle and conscience, I will not be a party to raising the salary or allowances of any elected official during the term of office to which he was elected.

ELISHA C. POOLE.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE
ON S. 47

We, the Committee of Conference appointed to reconcile the disagreement between the two houses concerning S. 47, as amended, have met, considered the bill as amended and have agreed to the following report.

We recommend that both houses adopt the attached S. 47 as last amended with the additional amendment attached hereto.

PHILLIP B. KELLEY,

TOMMY ED ROBERTS,

W. J. CABANISS, JR.,

Conferees on the part of the House.

D. WHITE, JR.,

MAC PARSONS,

JOHN A. TEAGUE,

Conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT FOR S. 47

Amend S. 47 as last amended as follows:

On page 12 after line 8, add a new subsection (d) as follows and renumber the subsequent subsections appropriately:

"(d) Provided however, that the initial appointments to the Environmental Management Commission shall be made as follows notwithstanding the other provisions of this act:

(1) The Governor shall appoint three members of the Environmental Management Commission, two of whom shall come from the voting members of the Boards of Commissions abolished by this act. The Governor's three initial appointments shall fill the positions described in Section 6(b) (4), (6), and (7) of this act. The terms of these initial position appointments shall be for six years.

(2) The Lieutenant Governor shall appoint two members of the Environmental Management Commission, one who shall come from the voting members of the Boards or Commissions abolished by this act. The Lieutenant Governor's appointments pursuant to this subsection shall fill the positions described in Section 6(b) (1) and (5) of this act. The term of the initial position described in Section 6(b) (1) shall be for four years. The term of the initial position described in Section 6(b) (5) shall be for two years.

(3) The Speaker of the House of Representatives shall appoint two members of the Environmental Management Commission, one who shall come from the voting members of the Boards or Commission abolished by this

act. The Speaker of the House of Representatives' appointments pursuant to this subsection shall fill the positions described in Section 6(b) (2) and (3) of this act. The term of the initial position described in 6(b)(2) shall be for four years. The term of the initial position described in Section 6(b)(3) shall be for two years."

On page 10, delete lines 28 through lines 37 in their entirety, and in lieu thereof insert the following:

"(b) The Environmental Management Commission shall be composed of seven members who are citizens of the State of Alabama. Initial members of the Commission shall be appointed to places on the Environmental Management Commission by the Governor, Lieutenant Governor, and Speaker of the House of Representatives pursuant to the procedure set out in the Section 6(d) of this act with the advice and consent of the Senate. Initial appointments shall be made on or before October 1, 1982. All subsequent appointments to places on the Environmental Management Commission after the initial appointments shall be made by the Governor with the advice and consent of the Senate. No member of the Environmental Management Commission may serve more than a total of eighteen years. When a vacancy occurs during a period when the".

On page 11 delete lines 31 through 35 in their entirety and delete on line 36 the word "serve".

CONFERENCE REPORT

On motion of Mr. White, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 47. To provide for the creation and organization of the Alabama Department of Environmental Management; to provide for legislative intent and purposes of the Act; to provide for definitions; to provide for powers and functions of the Department; to provide for an Environmental Management Commission within the Department; to provide for powers and functions of the Environmental Management Commission; to provide for appeals of administrative actions; to provide for adopting rules and regulations; to provide for the transfer of functions and personnel; to provide for the repeal of, exemption from or amendment of certain sections of the Code of Alabama 1975, as amended; to provide for the creation of the Alabama Department of Environmental Management Fund; to provide for the transfer of personnel, funds, functions, and equipment of the Coastal Area Board to the Office of State Planning and Federal Programs; to provide for the creation of a Coastal Resources Advisory Commission; to provide for the severability of provisions of the Act; and to provide for an effective date of this Act.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Goodwin	Martin	Smith
Bailey	Gulledge	Mitchem	Teague (B)
Callahan	Holmes	Parsons	Teague (J)
Cook	Kirkland	Proctor	Weeks
deGraffenried	Lemaster	Robertson	White
Denton	Little	St. John	

—22

Nay: Mr. Hall.

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MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 678. To amend Section 2 of Act No. 458, S. 616 of the 1978 Regular Session of the Legislature relating to the compensation of the judge of probate of Morgan County, Alabama, so as to provide further for such compensation.

Said Governor's Message being words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor returning House Bill 678 without the Governor's signature and approval, and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 20th day of April, 1982.

To the Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill 678, without my signature and approval, and with the following suggested Executive Amendment:

On page 1 of the enrolled bill, on the first line, delete the number "458" and insert in lieu thereof the number "548".

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Respectfully,

FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by his Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 52, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 63, Nays 0.

And said Bill, H. 678, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Martin, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 678, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Taylor	
Bailey	Gulledge	Martin	Teague (B)	
Britnell	Hall	Miller	Teague (J)	
Callahan	Hilliard	Parsons	Vacca	
Cook	Holmes	Proctor	Weeks	
Denton	Keener	St. John	White	
Figures	Kirkland			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 678, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Taylor	
Bailey	Gulledge	Martin	Teague (B)	
Britnell	Hall	Miller	Teague (J)	
Callahan	Hilliard	Parsons	Vacca	
Cook	Holmes	Proctor	Weeks	
Denton	Keener	St. John	White	
Figures	Kirkland			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 509. Relating to Shelby County; to provide for an additional expense allowance for the Commission Chairman.

Also:

S. 520. Relating to the Town of Loxley in Baldwin County; authorizing the Town of Loxley to establish, purchase, construct, maintain, lease and operate a television cable system and to furnish television cable and auxiliary service to the residents of the town and to customers of the said board and in surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such board in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness

and the rights of the holders thereof; and exempting the utilities board transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

S. 527. To amend subsection (e) of Section 14 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pages 717-739) which said Act No. 497 established a pension system for officers and employees of Jefferson County, which said Section 14 was last amended by Act No. 1060 of the Regular Session of the Legislature of Alabama of 1981.

Also:

S. 532. Relating to Barbour County; to provide further for the expense allowance of the coronor.

Also:

S. 545. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

Also:

S. 546. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Parsons offered the following Senate Resolution, to-wit:

S. R. 280. HONORING THE REVEREND GEORGE HAYWOOD UPON THE CELEBRATION OF HIS 101TH BIRTHDAY.

Which was adopted.

BILLS ON THIRD READING

The Bill:

H. 822. Relating to Class 2 municipalities; providing for a retirement pension for certain elected public officials in such municipalities, the eligibility requirements for such pension and the amount, method; providing for payments from the general fund of such municipalities; and specifically repealing Act No. 432, S. 531 of the 1971 Regular Session (Acts 1971, p. 1159) and Act No. 682, H. 937, Regular Session 1967 (Acts 1967, p. 1508), which acts provide for a retirement pension for certain elected public officials of certain cities classified on a population basis.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	St. John
Bailey	Gulledge	Miller	Smith
Britnell	Hall	Mitchem	Taylor
Callahan	Hilliard	Parsons	Vacca
Cook	Holmes	Pearson	Weeks
Denton	Keener	Proctor	White
Figures	Little		

Nays:

—0

The Bill:

H. 781. To provide further for the compensation of the clerks in the tax assessor's office on Bullock County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Gulledge	Martin	St. John
Britnell	Hall	Miller	Smith
Callahan	Hilliard	Mitchem	Taylor
Cook	Holmes	Parsons	Teague (J)
Denton	Keener	Pearson	Weeks
Figures	Kirkland		

—25

Nays:

—0

The Bill:

H. 782. Relating to Bullock County; to provide for the election of the chairman of the county commission.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 782, to-wit:

COMMITTEE AMENDMENT TO H. B. 782

Amend House Bill 782 as follows:

On page 1, line 19, after the word "serve" insert the words:
full time

and also on line 19, delete the word "four" and insert in lieu thereof the word:
six.

On page 1, lines 25, 26 and 27, delete the language:

"\$600.00 more annually than the members of the county commission receive."

and insert in lieu thereof the following language:

\$22,500 annually to be paid in 12 monthly installments.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Pearson
Bailey	Hall	Martin	Proctor
Britnell	Hilliard	McDonald	St. John
Callahan	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Weeks
Figures	Lemaster		

—25

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Nays: —0

And said Bill, H. B. 782, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Pearson
Bailey	Hall	Martin	Proctor
Britnell	Hilliard	McDonald	St. John
Callahan	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Weeks
Figures	Lemaster		

—25

Nays: —0

The Bill:

H. 783. Relating to Bullock County; to provide further for the employees and their compensation in the office of the county tax collector.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 782, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bullock County; to provide further for the compensation of the employees in the office of the county tax collector.

Be It Enacted by the Legislature of Alabama:

Section 1. All employees in the office of the county tax collector of Bullock County shall receive additional compensation in the amount of \$1,000 per year. Said amount shall be in addition to the amount they are receiving on the effective date of this Act.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Pearson
Bailey	Gulledge	Martin	Proctor
Britnell	Hall	McDonald	St. John
Callahan	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Weeks
Figures	Lemaster		

—25

Nays: —0

And said Bill, H. B. 783, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Pearson
Bailey	Gulledge	Martin	Proctor
Britnell	Hall	McDonald	St. John
Callahan	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Weeks
Figures	Lemaster		

—25

Nays:

—0

The bill:

H. 799. Relating to local sales and use taxes in Lee County, Alabama, and amending Act No. 81-553 enacted at the 1981 Regular Session of the Legislature of Alabama so as to provide further for the levy and collection of the special county privilege, license and excise taxes authorized by said Act No. 81-553 to be levied and collected by Lee County, Alabama, for the administration of said Act No. 81-553, and for the use of the proceeds from said taxes; authorizing the governing body of Lee County, Alabama, to levy and collect, special county privilege, license and excise taxes generally paralleling the state sales and use taxes levied by Act No. 81-665 enacted at the 1981 Regular Session of the Legislature of Alabama on sales of automobiles and other vehicles other than at wholesale by persons other than licensed dealers; providing for the collection of such taxes and the use of the proceeds therefrom; and repealing Act No. 81-918 enacted at the 1981 First Special Session of the Legislature of Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	McDonald	St. John
Bailey	Hall	Miller	Smith
Britnell	Higginbotham	Mitchem	Taylor
Callahan	Holmes	Parsons	Vacca
Cook	Keener	Pearson	Weeks
Denton	Kirkland	Proctor	White
Figures	Little		

—25

Nays:

—0

The Bill:

H. 811. Relating to Escambia County; providing further for the expense allowance of the presiding circuit judge of the twenty-first judicial circuit.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Callahan	Figures	Hall
Bailey	Cook	Goodwin	Holmes
Britnell	Denton	Gulledge	Keener

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Lemaster	Parsons	Smith	Vacca
Little	Pearson	Taylor	Weeks
Miller	Proctor	Teague (J)	White
Mitchem	St. John		
—25			
<i>Nays:</i>			
—0			

The Bill:

H. 812. Relating to Escambia County; amending Act No. 251, H. 979, 1976 Regular Session (Acts 1976, p. 287), so as to provide further for the compensation of the court reporter of the twenty-first judicial circuit.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	McDonald	St. John
Bailey	Gulledge	Miller	Smith
Britnell	Hall	Mitchem	Taylor
Callahan	Holmes	Parsons	Vacca
Cook	Kirkland	Pearson	Weeks
Denton	Little	Proctor	White
Figures	Martin		
—25			
<i>Nays:</i>			
—0			

The Bill:

H. 816. Relating to Macon County; to amend Act 81-585, H. 1001, 1981 Regular Session, providing for a discretionary expense allowance for members of the board of registrars, so as to make said expense allowance mandatory.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Proctor
Bailey	Hall	Martin	St. John
Britnell	Hilliard	Miller	Smith
Callahan	Holmes	Mitchem	Taylor
Cook	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Weeks
Figures	Lemaster		
—25			
<i>Nays:</i>			
—0			

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Britnell, further consideration of the Bills, H. B.'s 820 and 821, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 380. To amend Section 36-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

was taken up.

On motion of Mr. Taylor, the Rules were suspended pursuant to Senate Rule 14 (4), and he was granted permission to offer the following amendment to the Bill, S. B. 380, to-wit:

AMENDMENT TO S. B. 380

Amend Senate Bill 380, page 3, line 8, after the word "thereof" by changing the period to a semi-colon and inserting the following language.

but shall not include professional land surveyors, architects and engineers who perform any service for option holders without the written consent of the optionor.

Which was adopted.

Yeas 16; Nays 2.

Yeas:

Messrs.:	Goodwin	Miller	Proctor	
Britnell	Keener	Mitchem	Smith	
Callahan	Lemaster	Parsons	Taylor	
deGraffenried	Little	Pearson	Weeks	
Denton				—16

Nays: Harrison and Teague (B).

—2

On motion of Mr. Taylor, the Rules were suspended under the provision of Senate Rules 14 (4), and he was granted permission to take up the Bill:

H. 246. To amend Section 35-11-210 of the Code of Alabama 1975, which provides for certain liens for work performed so as to provide further for such liens.

in place of the Consent Calendar Bill, S. B. 380, as amended.

On motion of Mr. White, the Rules were suspended under the provisions of Senate Rules 14 (4), and he was granted permission to offer the following amendment to the Bill, H. B. 246, to-wit:

AMENDMENT TO H. B. 246

Amend House Bill 246 as follows:

By the deletion of lines 35, 36, and 37 on page 2, and lines 5, 6, 7, and 8 on page 3 and by the substitution of the following therefor:

"The provisions of this division eight (8) shall be construed to include the services with respect to the land, buildings, or improvements of the owner or proprietor or any proposed building thereon, or improvement thereof, of any registered professional engineer, or registered professional land surveyor; and attorney fees."

Which was adopted.

Yeas 21; Nays 2.

Yeas:

Messrs.:	Goodwin	Hall	Higginbotham
Callahan	Gulledge	Harrison	Holmes

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Keener	Mitchem	St. John	Teague (B)	
Little	Parsons	Smith	Teague (J)	
McDonald	Proctor	Taylor	White	
Miller	Robertson			—21

Nays: Messrs.: deGrffenried and Denton. —2

On motion of Mr. St. John, further consideration of the Bill, H. B. 246, as amended, was postponed temporarily.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 281. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the thirtieth legislative day of the 1982 Regular Session only:

BILL NO.	PAGE NO.	DESCRIPTION
H. B. 768	22	Ind. Dev. Board issue bonds
H. B. 61	18	Incorp. muni.
H. B. 240	35	Education outlay approp.
H. B. 305	37	Com/bid contracts
H. B. 383	17	Handgun ammunition
H. B. 813	11	Anatomical gifts
H. B. 133	9	Right to a hearing dog
H. B. 41	4	Toll Road Auth. int. on bonds
H. B. 325	21	Damages done at schools
H. B. 10	8	Candidates qualifying dates
H. B. 241	20	Gas district/member fees
H. B. 320	35	Boards of Registrars comp.
H. B. 754	33	14th Circ. Court Public Defender
H. B. 50	32	Transp. co. & utilities fees
H. B. 341	10	Hazardous waste
H. B. 616	5	CA: leg. meeting place
H. B. 125	13	School child minimum age
H. B. 204	23	Linda Roberts Approp.
H. B. 745	33	Boxing, Wrestling matches tax exempt
H. B. 253	22	Control of swine disease
H. B. 339	20	Utilities reports
H. B. 538	17	Defendants restitution

H. B. 722	12	Board of education warrants
H. B. 60	18	Unincorp. comm.
H. B. 474	8	Awards made by cities
H. B. 699	34	Bd. of Adjustment app.
H. B. 609	26	Oil & gas operators payment
H. B. 246	36	Work performed liens
H. B. 528	25	Ins. sickle-cell cov.

On motion of Mr. McDonald, said Resolution was then adopted by the Senate.

RECESS

At 1:05 P.M., on motion of Mr. Goodwin, the Senate took a recess until 3:30 P.M.

AFTERNOON SESSION

THIRTIETH LEGISLATIVE DAY

MONDAY, APRIL 26, 1982

The Senate reassembled in the Senate Chamber, Lieutenant Governor McMillan presiding.

ROLL CALL

Present:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Lemaster	Robertson	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 56. To exempt incorporated municipalities and incorporated municipal boards of this state from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama 1975; to establish an effective date.

Also:

S. 66. To remove the requirement of driver education for graduation; to require local school systems to provide the opportunity for driver education; to provide for the protection of driver education teachers currently employed and provide requirements for optional driver education courses.

Also:

S. 386. To exempt from the payment of any and all state, county and municipal ad valorem taxes, the Board of Trustees of the Susie Parker Stringfellow Memorial Hospital established and created under the Last Will and Testament of Susie P. Stringfellow, deceased, and Stringfellow Memorial Hospital Non-Profit Realty Company, a nonprofit corporation, and all real and personal property of said Board of Trustees or said nonprofit corporation, to provide that any and all such ad valorem taxes which were, are or may be collected as the result of any assessment against said Board of Trustees or said nonprofit corporation, or any real or personal property of said Board of Trustees or said nonprofit corporation, shall be remitted to the entity which paid them and to provide that no action or proceeding for the collection or enforcement of any such ad valorem tax may be instituted against said Board of Trustees or said nonprofit corporation subsequent to its effective date.

Also:

S. 514. To authorize the acquisition and pledging and securing of Letters of Credit in connection with the issuance of securities by public bodies in Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 193. To amend Section 10-2A-25, Code of Alabama 1975, as amended, so as to provide that the name of the corporation, if a bank, need not use the word "corporation," "incorporated," or an abbreviation thereof, but instead shall use the words "bank," "banking" or "bankers."

Also:

S. 377. To authorize the carrying of a handgun by any honorably retired law enforcement officer whose retirement was not based on any pending disciplinary or legal action.

Also:

S. 519. Relating to DeKalb County; providing for the distribution of the share of in-lieu-of-taxes payments of the Tennessee Valley Authority and providing for an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 267. To amend Section 9-11-235, Code of Alabama 1975, relating to nighttime hunting, so as to increase and amend certain penalties for the violation thereof.

Also:

S. 269. To amend Section 9-11-241, Code of Alabama (1975), relating to daytime hunting on the lands of another, so as to increase certain penalties for the violation thereof.

Also:

S. 270. To amend Section 9-11-242, Code of Alabama (1975), relating to nighttime hunting on the lands of another, so as to increase penalties for the violation thereof.

Also:

S. 300. To authorize the Alabama Supreme Court to hire six staff attorneys and to pay the necessary salaries and expenses thereof, in addition

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to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 269. TO EXTEND THE LIFE OF THE JOINT INTERIM COMMITTEE TO STUDY NEW GUIDELINES OF THE FARMERS HOME ADMINISTRATION.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 108. To amend Code of Alabama 1975, Section 16-25-11, which relates to the Teachers' Retirement System; and Section 36-27-11 which relates to the Employees' Retirement System amending said sections so as to extend the period of eligibility for purchasing credit for previously withdrawn services; to provide a period of one year after October 1, 1982, for retired members to purchase credit for service previously withdrawn or terminated due to five years absence from service.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 477. To make an appropriation for the fiscal year ending September 30, 1983 in the amount of Six million five hundred thousand dollars (\$6,500,000) from the monies initially transferred into The Alabama Heritage Trust Fund created by an amendment to the Constitution of Alabama of 1901, proposed by Act No. 81-1178, 1981 Third Special Session, for the purpose of payment by the State of Alabama of expenses incurred prior to September 30, 1983 by the Alabama Housing Finance Authority in the exercise of the powers granted to it by law.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 47. To provide for the creation and organization of the Alabama Department of Environmental Management; to provide for legislative intent and purposes of the Act; to provide for definitions; to provide for powers and functions of the Department; to provide for an Environmental Management Commission within the Department; to provide for powers and functions of the Environmental Management Commission; to provide for appeals of administrative actions; to provide for adopting rules and regulations; to provide for the transfer of functions and personnel; to provide for the repeal of, exemption from or amendment of certain sections of the Code of Alabama 1975, as amended; to provide for the creation of the Alabama Department of Environmental Management Fund; to provide for the transfer of personnel, funds, functions, and equipment of the Coastal Area Board to the Office of State Planning and Federal Programs; to provide for the creation of a Coastal Resources Advisory Committee; to provide for the severability of provisions of the Act; and to provide for an effective date of this Act.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Messrs. Hilliard and Pearson offered the following Senate Resolution, to-wit:

S. R. 282. COMMENDING REV. GEORGE COOK, JR. OF BIRMINGHAM, ALABAMA ON BEING NAMED MAN OF THE YEAR.

Which was adopted.

FURTHER CONSIDERATION OF H. B. 246

The Senate proceeded to further consideration of the Bill, H. B. 246, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 108. To amend Code of Alabama, 1975, Section 16-25-11, which relates to the Teachers' Retirement System; and Section 36-27-11 which relates to the Employees' Retirement System amending said sections so as to extend the period of eligibility for purchasing credit for previously withdrawn service; to provide a period of one year after October 1, 1982, for retired members to purchase credit for service previously withdrawn or terminated due to five years absence from service.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 114. COMMENDING CAROLINE S. CAVANAUGH AND THE BUREAU OF PUBLICITY AND INFORMATION FOR THEIR PUBLICATION "ALABAMA THE BEAUTIFUL."

Also:

H. J. R. 306. ENDORSING AND COMMENDING SEPTEMBER 19, 1982, AS "FAMILY DAY."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 781. To provide further for the compensation of the clerks in the tax assessor's office in Bullock County.

Also:

H. 799. Relating to local sales and use taxes in Lee County, Alabama, and amending Act No. 81-553 enacted at the 1981 Regular Session of the Legislature of Alabama so as to provide further for the levy and collection of the special county privilege, license and excise taxes authorized by said Act No. 81-553 to be levied and collected by Lee County, Alabama, for the administration of said Act No. 81-553, and for the use of the proceeds from said taxes; authorizing the governing body of Lee County, Alabama, to levy and collect special county privilege, license and excise taxes generally paralleling the state sales and use taxes levied by Act No. 81-665 enacted at the 1981 Regular Session of the Legislature of Alabama on sales of automobiles and other vehicles other than at wholesale by persons other than licensed dealers; providing for the collection of such taxes and the use of the proceeds therefrom; and repealing Act No. 81-918 enacted at the 1981 First Special Session of the Legislature of Alabama.

Also:

H. 811. Relating to Escambia County; providing further for the expense allowance of the presiding circuit judge of the twenty-first judicial circuit.

Also:

H. 812. Relating to Escambia County; amending Act No. 251, H. 979, 1976 Regular Session (Acts 1975, p. 287), so as to provide further for the compensation of the court reporter of the twenty-first judicial circuit.

Also:

H. 816. Relating to Macon County; to amend Act 81-585, H. 1001, 1981 Regular Session, providing for a discretionary expense allowance for members of the board of registrars, so as to make said expense allowance mandatory.

Also:

H. 822. Relating to Class 2 municipalities; providing for a retirement pension for certain elected public officials in such municipalities, the eligibility requirements for such pension and the amount, method; providing for payments from the general fund of such municipalities; and specifically repealing Act No. 432, S. 531 of the 1971 Regular Session (Acts 1971, p. 1159) and Act No. 682, H. 937, Regular Session 1967 (Acts 1967, p. 1508), which acts provide for a retirement pension for certain elected public officials of certain cities classified on a population bases.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 678. To amend Section 2 of Act No. 548, S. 616 of the 1978 Regular Session of the Legislature relating to the compensation of the judge of probate of Morgan County, Alabama, so as to provide further for such compensation.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 246

The Senate proceeded to further consideration of the Bill, H. B. 246, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 341. Regulating further license plates to be used for motor vehicles; providing for distinctive license plates for vehicles owned by certain fire fighters.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lemaster, the Senate non-concurred in the following House amendment to the Bill, S. B. 341, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 341

Amend Senate Bill 341 in Section 2, on page 2, by striking lines 6 through 9, and inserting in lieu thereof the following:

or tags issued fire fighters shall be designed by the Standing Committee on Tag.

and requested a Committee on Conference.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Little	Smith
Bailey	Hilliard	Miller	Taylor
Britnell	Holmes	Mitchem	Teague (B)
Denton	Keener	Proctor	Teague (J)
Goodwin	Lemaster	St. John	Vacca
Gulledge			—20

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Lemaster, Gulledge, and Martin.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 96. Relating to the Department of Youth Services; to designate the department as a special school district within the state; to designate a position of superintendent of education for the special district with the responsibility for administering the education programs of the Department of Youth Services in conjunction with its director; to provide for the qualifications and the filling of the superintendent's position and providing for the duties and responsibilities for the superintendent; to provide for a funding formula and policy for the district; to grandfather in and grant tenure to certain professional personnel of the Department of Youth Services under the

teacher tenure law; to provide for an employment procedure for new professional personnel and other staff personnel; to provide for a salary schedule for all educational personnel of the Department of Youth Services; to provide that the Youth Services Board and the Superintendent of the newly created school district shall bear the same relationship to the state board of education and the state superintendent as do county boards of education and county superintendents; and to provide that the provisions of this act shall be construed in pari materia with Title 44, Chapter 1 and Chapter 2, Code of Alabama 1975, and shall supersede and repeal such provisions of law only to the extent there exists a conflict herewith.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailey, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 96, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 96

A BILL TO BE ENTITLED AN ACT

Relating to the Department of Youth Services; to designate the department as a special school district within the state; to designate a position of superintendent of education for the special district with the responsibility for administering the education programs of the Department of Youth Services in conjunction with its director; to provide for the qualifications and the filling of the superintendent's position and providing for the duties and responsibilities for the superintendent; to provide for a funding formula and policy for the district; to grandfather the teaching employees of the Department of Youth Services who have been employed by the Department for at least six months and have been granted tenure as of the date that this act becomes effective; to provide non-teaching personnel coverage under the state merit system; to provide for an employment procedure for new personnel to be hired after this Act is in effect; to provide for a salary schedule for all personnel of the Department; to provide for the continuation of leave days and other benefits available to the effective date of this Act; to provide that the Youth Services Board and the Superintendent of the newly created school district shall bear the same relationship to the state board of education and the state superintendent as do county boards of education and county superintendents; and to provide that the provisions of this act shall be construed in pari materia with Title 44, Chapter 1 and Chapter 2, Code of Alabama 1975, and shall supersede and repeal such provisions of law only to the extent there exists a conflict herewith.

Be It Enacted by the Legislature of Alabama:

Section 1. The Department of Youth Services as presently constituted by law is hereby designated as a special school district of the state to be known as the "Youth Services Department District," hereinafter referred to as the district. The relationship existing between the district and the state board of education shall be the same as that of local boards of education to the state board.

Section 2. There is hereby established the position of superintendent of education for the district which shall be filled by the appointment of the

governing board of the Department of Youth Services upon the recommendation of the director of said department, and the superintendent shall serve at the pleasure of, and be directly responsible to, the director. The superintendent shall possess such qualifications as may be specified by the Youth Services Board and as provided by Section 16-9-2, Code of Alabama, 1975.

Section 3. The superintendent of the district shall have the general responsibility for administering and supervising the educational programs of the Youth Services Department as approved by the department director. The superintendent shall have the specific duty of submitting the department's annual educational budget recommendations to the director, which shall be based on any funds made available to the department for such educational purposes. The final annual budget shall be approved by the board upon submission by the director.

Section 4. The Youth Services Board and the State Board of Education shall cooperatively establish a funding formula which reflects the educational needs of the students assigned to its custody. The funds for the educational programs shall be appropriated by the legislature from the special educational trust fund and shall be used only for educational purposes, except when the board determines an emergency situation exists; and upon such a determination the board, as recommended by the director, may transfer funds between items of educational and non-educational sources of funding.

Section 5. As of the effective date of this Act, all personnel who have been employed by the Department of Youth Services for at least six months shall remain in their respective jobs and shall be considered to meet all requirements of the Department in terms of training and experience; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner provided by law. The employment of any new teaching personnel after the effective date of this Act shall be on a probationary or non-tenured status with the expectation of attaining tenure under the State's Tenure Law after three consecutive years of service and re-employment for the fourth year. The employment of non-teaching personnel after the effective date of this Act shall continue to be under the provisions and protection of the State Merit System.

Section 6. The Youth Services Director shall work with the Superintendent and the teaching staffs on each of the three campuses to develop a salary schedule for teachers. In placing teachers, granted tenure in Section 5 of this Act, on the resulting salary schedule, no teacher shall be placed at a salary level lower than that held when this Act becomes effective. In addition to developing this salary schedule, the director and superintendent shall work together with teachers to arrange replacement of all leaves and benefits previously enjoyed by the teachers of the Department under the State Merit System. For purposes of obtaining hospital/medical benefits and life insurance, teaching personnel shall remain under the State Employees' hospital/medical and life insurance plans until such time as statewide hospital/medical and life insurance plans are developed for all state teachers.

Section 7. The Board of Youth Services and the Superintendent of Education of the Special School District shall stand in the same relationship to the State Board of Education as do Local Boards of Education and Local Superintendents of Education. The powers, duties and responsibilities of the Board of Youth Services, the superintendent, and the functioning of the district shall be the same as provided for in Sections 16-8-10 and 16-11-18 of Title 16 of the Code of Alabama, 1975.

Section 8. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. The provisions of this Act shall be construed in pari materia with the provisions of law contained in Title 44, Chapters 1 and 2, Code of Alabama, 1975, and shall supersede and repeal such provisions of law only to the extent there exists a conflict herewith.

Section 10. The effective date of this Act shall be October 1, 1983.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Hilliard	McDonald	Smith
Britnell	Holmes	Miller	Taylor
Denton	Kirkland	Parsons	Teague (B)
Figures	Lemaster	Proctor	Teague (J)
Goodwin	Little	Robertson	Vacca

—23

Nays:

—0

RESOLUTIONS

Mr. Robertson offered the following Senate Resolution, to-wit:

S. R. 283. CONGRATULATING THE ATLANTA BRAVES.

Which was adopted.

Mr. Robertson then offered the following Senate Joint Resolution, to-wit:

S. J. R. 284. CONGRATULATING THE ATLANTA BRAVES.

WHEREAS, the Atlanta Braves made modern major league baseball history on Tuesday, April 20, 1982, with a 4-2 victory over the Cincinnati Reds, making it twelve in a row to break the record for the most consecutive wins at the start of a season; and

WHEREAS, to add icing to the cake, the Braves then racked up another win to push the record up to 13-0 for a season opening; and

WHEREAS, the State of Alabama joins with their sister State of Georgia in rejoicing with the Braves in this phenomenal achievement, and in congratulating the Braves' owner, Ted Turner, and manager Joe Torre as well; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate the "Hot-lanta" Braves, Mr. Ted Turner and Joe Torre, and direct that they receive a copy of this resolution in declaration of our pride in their accomplishment and our sincere best wishes for the finest season ever and the pennant at the end of the rainbow.

Which was read and referred to the Standing Committee on Rules.

Mr. Robertson then offered the following Senate Resolution, to-wit:

S. R. 285. URGING GOVERNOR FOB JAMES TO ACT ON SENATE BILL 84.

Which was adopted.

POINT OF PERSONAL PRIVILEGE

On motion of Mr. Vacca, his name was added as co-sponsor of the Bill, S. B. 96.

FURTHER CONSIDERATION OF H. B. 246

The Senate proceeded to further consideration of the Bill, H. B. 246, as amended.

And said Bill, H. B. 246, as amended, was read a third time at length and passed.

Yeas 17; Nays 8.

Yeas:

Messrs.:	Holmes	Miller	Smith
Britnell	Keener	Mitchem	Taylor
deGraffenried	Kirkland	Proctor	Teague (J)
Denton	Lemaster	St. John	Vacca
Goodwin	Little		

—17

Nays:

Messrs.:	Figures	Hilliard	Robertson
Bailey	Harrison	Martin	Teague (B)
Callahan			

—8

Mr. St. John moved that the Senate reconsider the vote by which the Bill, H. B. 246, as amended, was passed.

RESOLUTION

Mr. Little offered the following Senate Resolution, to-wit:

S. R. 286. COMMENDING THE HONORABLE ROBERT M. NICKERSON FOR MERITORIOUS SERVICE AS MAYOR OF JACKSON'S GAP, ALABAMA.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 418. To regulate the practice of Interior Design; to provide for the registration of qualified persons as professional Interior Designers; to create the Alabama State Board of Registration for Interior Designers; to provide for the appointment of its members; to fix the term of the members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish the Interior Designer Fund; and to provide for the enforcement of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. White, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 418, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 418

A BILL
TO BE ENTITLED
AN ACT

To regulate the practice of Interior Design; to provide for the registration of qualified persons as professional Interior Designers; to create the Alabama State Board of Registration for Interior Designers; to provide for the appointment of its members; to fix the term of the members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish the Interior Designer Fund; and to provide for the enforcement of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) As used in this act, unless a contrary meaning is clearly intended from the context in which the term appears, the following terms shall have the meanings hereinafter indicated:

(b) "Board" means the Alabama State Board of Registration for Interior Designers.

(c) "Interior Designer" means a person who is engaged, or offers to engage in, the practice of interior design in this state, as hereinafter defined, and who has been duly registered with the Board in accordance with the provisions of this act.

(d) "Interior Design" means the performance of, or offering to perform, services hereinafter described, for a fee or other compensation, to another person, or to a partnership, corporation, or other legal entity, in connection with the design, utilization, furnishing or fabrication of elements in interior spaces in buildings, homes, and related structures. Such services include, but shall not be limited to, the following: programming the functional requirements for interior spaces; preparing analyses of user needs; planning interior spaces; preparing designs, drawings and specifications for selection, use, location, color, and finishes of interior materials, equipment, furnishing and furniture; and administering contracts for fabrication, procurement or installation in connection with such designs, drawings and specifications. Nothing contained herein shall preclude any person from performing, or offering to perform, any of the above-described services, provided that such person shall not be permitted to use or be identified by the title "interior designer."

Section 2. In order to safeguard public welfare and promote public good, any person practicing or offering to practice interior design, privately or in public service, shall be required to submit evidence to the board that he is qualified to practice and shall become registered as hereinafter provided. Those persons practicing or offering to practice interior design at the time this act becomes effective shall apply to become registered within one (1) year of the effective date.

Section 3. For registration as an interior designer, evidence must be submitted to the board that the applicant:

(1) has satisfactorily completed sixty (60) quarter-semester college credit hours or forty-eight (48) tri-semester college credit hours related to the field of interior design; and

(2) has satisfactorily established by written examination his competence to perform the services of an interior designer; or

(3) provides evidence of registration or licensing in another state whose requirements for registration or licensing are equivalent to Alabama's requirements and who extend the same privilege to those registered in Alabama.

Section 4. Examinations for the purpose of registration shall be held by the board at least twice a year. The board shall adopt rules and regulations covering the subjects and scope of the examinations and any exemptions therefrom as may be deemed appropriate, shall establish fees for examination as may be deemed appropriate, provided that such fees shall not exceed \$150, shall publish appropriate announcements, and shall conduct the examinations at the times and places designated.

Section 5. (a) There is hereby created the Alabama State Board of Registration for Interior Designers which shall consist of five (5) members. The board shall be appointed by the Governor from nominees submitted by the public. The board shall be comprised of the following: Three (3) members shall have been in the practice of, or engaged in the teaching of, interior design, or a combination thereof, for not less than five (5) years prior to appointment; one (1) member shall have been in active practice as an architect in this state, or engaged in the teaching of architecture in this state; one (1) member shall be a layman. The terms of office of said members shall be five (5) years, of which one term expires each year. Any vacancy occurring at any time in the membership of the board shall be filled by the Governor's appointing a successor for the unexpired term from a list of nominees submitted by the board or the public. Members of the board may not serve more than two (2) consecutive terms at a time.

(b) The members of the board shall receive no salary or other compensation for their services as members, but shall be reimbursed for reasonable and necessary expenses incurred in carrying out their duties.

(c) The board shall elect annually from its members a chairman and secretary.

(d) Three (3) members of the board shall constitute a quorum for the transaction of business, of which a majority vote is required for approval of any decision.

(e) Each member of the board shall take the oath of office as prescribed by the constitution of the state of Alabama.

Section 6. (a) The board shall have the powers and duties enumerated in this section.

(b) The board shall hold at least two meetings per year for the purpose of examining candidates for registration as interior designers. It may hold such other meetings and hearings as required for the proper performance of its duties under this act. All meetings shall be held within the state of Alabama.

(c) The board shall issue certificates of registration in accordance with this act and shall establish such fees for the issuance and renewal of such certificates; provided, however, that such fees shall not exceed \$50 per year.

(d) The board shall establish rules and regulations concerning revocation or suspension of certificates of registration as an interior designer and the ground therefor.

(e) The board may adopt a seal for use in transacting its official business.

(f) The board shall keep a record of its proceedings and shall make an annual report thereon to the Governor and the legislature.

(g) The board shall maintain an official roster showing the name, registration number, and address of all interior designers registered under this act and in good standing.

(h) The board shall have such employees as may be provided in the annual state budget.

(i) For the purpose of enforcing the provisions of this act, the board:

(1) may conduct investigations and hold hearings concerning any matter covered by this act at any time or place within the state of Alabama;

(2) may administer oaths and affirmations, examine witnesses and receive evidence; and

(3) may seek legal or equitable relief from the state circuit courts against persons who violate the provisions of this act.

Section 7. The secretary of the board shall receive and account for all monies derived under the provisions of this act and the rules and regulations promulgated by the board and shall, not later than the tenth (10th) day of each month, pay all such monies collected during the previous month to the state treasurer, who shall keep such monies in a separate fund to be known as the "Interior Designer Fund." Such fund shall be kept separate and apart from all other monies in the treasury, and shall be paid out for the expenses of the board and for enforcing this act only by warrant of the comptroller upon the treasurer, upon itemized vouchers, approved by the chairman and attested by the secretary of the board; provided, however, that no funds shall be withdrawn or expended except as budgeted and allotted according to the provisions of Title 41, Chapter 4, Article 4, Code of Alabama 1975. Under no circumstances shall the total amount of warrant issued by the comptroller in payment of the expenses and compensation of the board and of enforcing this act exceed the amount provided therefor by the legislature from the "Interior Designer Fund" in the general appropriation bill.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 20; Nays 3.

Yeas:

Messrs.:
Bailey
deGraffenried

Goodwin
Gulledge
Hall

Harrison
Kirkland
Lemaster

Martin
McDonald
Miller

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Mitchem	St. John	Teague (J)	Weeks	
Parsons	Smith	Vacca	White	
Proctor				—20
Nays:				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 343. To provide a mechanism for funding of multi-service programs designed to promote economic self-sufficiency among low-income citizens of the State of Alabama; providing that 95% of monies received from the Community Services Block Grant Act shall be appropriated to Community Action Agencies as prescribed herein; to provide an allocation schedule; to designate eligible Community Action and certain other agencies under this act; to prescribe duties and responsibilities of Community Action Agencies; to define certain other agencies to be named limited purpose agencies which shall qualify for funds under the provisions of this act and to provide for the administration of the programs of such agencies and to prescribe their duties and responsibilities; to define service areas for Community Action Agencies and limited purpose agencies; to prescribe guidelines for the operation of Community Action Programs under this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailey, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 343, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 343

On page 2, line 19, strike the figure "672(1)" and insert in lieu thereof:
673(1)

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	St. John	
Bailey	Hall	Martin	Smith	
Britnell	Higginbotham	McDonald	Taylor	
Callahan	Hilliard	Miller	Teague (J)	
deGraffenried	Holmes	Mitchem	Vacca	
Denton	Kirkland	Parsons	Weeks	
Figures	Lemaster	Proctor		—26
Nays:				—0

REPORT OF THE COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and

Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 243. URGING THE AUBURN BOARD OF TRUSTEES TO CONSIDER NAMING A BUILDING ON CAMPUS FOR ROBERT BRYANT STRONG.

Also:

S. J. R. 246. REQUESTING THE STATE DEPARTMENT OF REVENUE TO IMMEDIATELY CEASE COLLECTION OF STATE SALES TAX ON FEES CHARGED BY PUBLIC GOLF COURSES.

Also:

S. J. R. 268. ENCOURAGING THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BIRMINGHAM TO USE ANY UNPLEDGED NEW MONEY COMING IN UNDER THE RECENTLY ENACTED LEVELIZED BEER TAX TO PAY CITY EMPLOYEE PAY RAISES AND LONGEVITY PAY.

Also:

S. 91. Relating to Class I municipalities, and any municipality having a population of 250,000 or more according to the last or any subsequent federal decennial census, to authorize the Mayor of any such municipality in this state to employ for and on behalf of said municipality a Chief Administrative Assistant to the Mayor, to provide how the maximum salary of the Chief Administrative Assistant shall be determined by the Mayor, to preserve salary and merit system rights of classified employees appointed to the Mayor's staff, and to provide that such employee shall not be subject to any merit system while serving on the Mayor's staff but shall be a member of any pension system applicable to merit system employees, provided application for such membership be made within thirty (30) days of appointment.

Also:

S. 182. To provide authority for the state board of education to appoint a Chancellor to serve as the chief executive officer of the board to assist the board in carrying out its authority and responsibility to operate and manage the junior colleges and trade schools, and Athens College; to create a department of postsecondary education provide that the board shall set salary of its chief executive officers; establish the authority of the board and Chancellor regarding the junior colleges and trade schools and the Office of the Chancellor; and provide authority for administrative actions necessary to govern the junior colleges and trade schools.

Also:

S. 339. To amend Section 20-2-53, Code of Alabama, 1975, to provide for an appeal of any action of a certifying board denying, suspending or revoking a registration or refusing the renewals of a registration whether or not such suspension, revocation, or registration is limited; to specify the procedure for taking such an appeal including the time within which a petition for review must be filed; to provide that the venue for an appeal shall be in the Circuit Court of Montgomery County; to provide that the Circuit Court is specifically authorized to exercise its own discretion as to questions of fact as well as law; to provide that the effect of a certifying board's order shall be stayed pending the Circuit Court's determination of the case; to provide for an appeal from the judgment of the Circuit Court; to provide that a

decision of the Circuit Court shall not be stayed or held in abeyance pending further appeal; and to provide that the provisions of this act shall take precedence over the provisions of the Alabama Administrative Procedure Act.

Also:

S. 340. To further specify venue for the judicial review of the administrative decisions of the State Board of Medical Examiners and the Medical Licensure Commission.

Also:

S. 509. Relating to Shelby County; to provide for an additional expense allowance for the Commission Chairman.

Also:

S. 520. Relating to the Town of Loxley in Baldwin County; authorizing the Town of Loxley to establish, purchase, construct, maintain, lease and operate a television cable system and to furnish television cable and auxiliary service to the residents of the town and to customers of the said board and in surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such board in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the utilities board transacting business pursuant to this Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

S. 527. To amend subsection (e) of Section 14 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, pages 717-739) which said Act No. 497 established a pension system for officers and employees of Jefferson County, which said Section 14 was last amended by Act No. 1060 of the Regular Session of the Legislature of Alabama of 1981.

Also:

S. 532. Relating to Barbour County; to provide further for the expense allowance of the coroner.

Also:

S. 545. Relating to Franklin County; providing further for the compensation of the probate judge and providing for an effective date.

Also:

S. 546. To propose an amendment to the Constitution of Alabama of 1901 relating to court costs and the compensation of the judge of probate of Franklin County.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolutions the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 446. To provide a salary increase by the State for the official court reporters, payable from the general fund of the state treasury; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailey, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 446, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 446

A BILL
TO BE ENTITLED
AN ACT

To provide a salary increase by the state for the official court reporters, payable from the general fund of the state treasury; and to provide an effective date; and to limit pay raises for court reporters in the event that the pay raise bill for state employees passes the 1982 Regular Session of the Legislature; and to make the necessary appropriations from the general fund for such purposes of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to any compensation prescribed by Section 7-110 of Act No. 1205, S. 400, of the 1975 Regular Session (Acts 1975, p. 2384), and any laws heretofore or hereafter enacted, the salary paid to the official court reporter by the state, from the general fund of the state treasury shall be increased by an additional three thousand dollars (\$3,000.00) per annum upon passage of this act. Such amount necessary to fund this raise for FY 1981-82 and FY 1982-83 is hereby appropriated to the Unified Judicial System.

Section 2. In the event a pay raise bill for all state employees passes the 1982 Legislative Session and becomes law, then court reporters shall not be entitled to the pay raise granted in any such law passed in 1982 for all state employees.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, except as otherwise herein provided.

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Yeas 24; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	St. John
Bailey	Higginbotham	McDonald	Smith
Cook	Hilliard	Miller	Taylor
deGraffenried	Holmes	Mitchem	Teague (B)
Goodwin	Kirkland	Parsons	Teague (J)
Gulledge	Little	Robertson	Vacca
Hall			

—24

Nays:

—0

REPORT FROM RULES

Mr. McDonald, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Andrew M. Hayden to the Alabama State University Board of Trustees.

On motion of Mr. Hilliard, the appointment of Mr. Hayden was confirmed by the Senate.

Yeas 24; Nays.

Yeas:

Messrs.:	Harrison	Martin	St. John
Bailey	Higginbotham	Miller	Smith
Callahan	Hilliard	Mitchem	Taylor
deGraffenried	Keener	Parsons	Teague (B)
Figures	Kirkland	Pearson	Teague (J)
Goodwin	Little	Robertson	Weeks
Gulledge			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 468. Proposing an amendment to the Constitution of Alabama prescribing certain procedures that will allow proposed constitutional amendments which affect or apply to only one county to be adopted as an amendment to the constitution by a majority vote of the people of the county affected, provided that such proposed amendment has first been unanimously approved by a local constitutional amendment commission and then subsequently approved by a majority of the electors in the county affected.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Callahan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 468, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 468

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama prescribing certain procedures that will allow proposed constitutional amendments which affect or apply to only one county to be adopted as an amendment to the constitution by a majority vote of the people of the county affected, provided that such proposed amendment has first been unanimously approved by at least a three-fifths vote of the elected members of each house and unanimously approved by a local constitutional amendment commission and then subsequently approved by a majority of the electors in the county affected.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors of the state voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

Any proposed constitutional amendment which affects or applies to only one county shall be adopted as a valid part of the constitution by a majority vote of the people of the county so affected, provided that such proposed amendment has first been unanimously approved by at least a three-fifths vote of the elected members of each house and unanimously approved by a local constitutional amendment commission composed of the Governor, Lieutenant Governor, Attorney General, Secretary of State and Speaker of the House of Representatives and notice of such election, together with the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceeding the day appointed for the election in each newspaper qualified to run legal notices in the county affected. The proposed local constitutional amendment shall then be approved by a majority vote of the qualified electors of the county affected by such proposed amendment voting in a referendum election held for the purpose of determining if such proposed amendment shall become adopted as a valid part of the constitution.

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. If a

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newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 468

Amend S. B. 468 on page 1, Section, line(s) 39 by adding after the word(s) county the following:

and in any political subdivision thereof

and on line 13, page 2 after the word county, add the following:

and in any political subdivision thereof"

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	St. John
Bailey	Higginbotham	McDonald	Smith
Britnell	Hilliard	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
Cook	Kirkland	Parsons	Vacca
Figures	Lemaster	Robertson	Weeks
Goodwin	Little		

—25

Nays:

—0

RESOLUTIONS

Messrs. Harrison, Teague (B), and Taylor offered the following Senate Joint Resolution, to-wit:

S. J. R. 287. URGING THE COUNTY AND CITY GOVERNING BODIES TO EARMARK AT LEAST 50% OF THE RESULTING INCREASE OF THE PROCEEDS DERIVED FROM H. B. 165 OF THE 1982 REGULAR SESSION TO MONTGOMERY COUNTY BOARD OF EDUCATION.

WHEREAS, it is the desire and intention of the Montgomery County Delegation that at least half of the increase in the resulting proceeds of the levelized beer tax, H. B. 165, which passed the 1982 Regular Session be earmarked for the Montgomery County Board of Education; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge that the governing bodies of the County and City of Montgomery earmark at least 50% of the resulting increase in the proceeds they receive under the levelized beer tax (H. B. 165, passed at the 1982 Regular Session) for the Montgomery County Board of Education.

RESOLVED FURTHER, That if the said governing bodies fail to earmark and use said tax proceeds for Montgomery County Board of Education, then this legislature and this delegation will consider passing local legislation to require such earmarking.

RESOLVED FURTHER, That a copy of this resolution be sent to the presiding officer of each said governing body, to the Mayor of Montgomery and to the Superintendent of Montgomery County Schools.

On motion of Mr. Teague (B), the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Hilliard and Pearson offered the following Senate Joint Resolution, to-wit:

S. J. R. 288. COMMENDING REV. GEORGE COOK, JR. OF BIRMINGHAM, ALABAMA ON BEING NAMED MAN OF THE YEAR.

WHEREAS, it is with a sense of great pride that the Alabama Legislature notes the selection of Reverend Goerge Cook, Jr. as Man of the Year by the Young Men's Business Club; and

WHEREAS, Rev. George Cook, Jr. is a native of Birmingham and graduate of Miles College and Morehouse Theological Center; and

WHEREAS, Rev. George Cook, Jr. is president of the Oak Ridge Citizen Participation group and is on the state and local boards of the Southern Christian Leadership Conference; and

WHEREAS, Thanks, in no small part to Rev. Cook's efforts in coordinating the efforts of the Emergency Volunteer Transit System, thousands of Birmingham bus riders, left stranded by the closedown of the Birmingham-Jefferson Transit System last year, were provided with transportation; and

WHEREAS, an active civic and church leader, being a Pastor of Mt. Ararat Baptist Church, Rev. Cook is one of his community's most prominent citizens and it is deemed appropriate by the Alabama Senate that he be honored for his many contributions to Birmingham, Alabama and the well-being of all its citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend and congratulate Rev. George Cook, Jr. on his being named Man of the Year by the Young Men's Business Club and that a copy of this resolution be sent to him that he may know of our high esteem and regard.

On motion of Mr. Hilliard, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Stewart, Harper (T), Williams, Dial, Carothers, Gilmer and Shoemaker:

H. J. R. 420. COMMENDING THE HONORABLE ARNOLD F. WELLMAN, JR., STATE REPRESENTATIVE, CONNECTICUT GENERAL ASSEMBLY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwin, the Rules were suspended and the Resolution, H. J. R. 420, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 536. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Madison in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises, and providing for penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Senate non-concurred in the following House amendment to the Bill, S. B. 536, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 536

A BILL TO BE ENTITLED AN ACT

To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Madison in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail beer and retail liquor licenses to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail beer establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises, and providing for penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, corporation, or association to sell or offer for sale alcoholic beverages in Madison County except at Alabama Alcoholic Beverage Control Liquor Stores, and at alcoholic beverage establishments located within the corporate limits or the police jurisdiction of the City of Madison in Madison County and licensed by the general laws of the State of Alabama, unless the sales of such alcoholic beverages are otherwise allowed by law.

Section 2. It shall be unlawful for any person, firm, corporation, or association to sell or offer to sell beer in Madison County, Alabama, except licensees of the Alcoholic Beverage Control Board of the State of Alabama. Provided, however, that any wholesaler, or retailer licensed to sell beer shall also be authorized to sell draft beer.

Section 3. The governing body of the City of Madison, Alabama shall have the power to establish reasonable hours of sale each day of the week for alcoholic beverages sold within the corporate limits or the police jurisdiction thereof.

Section 4. It shall be the duty of each officer, owner, manager, or person in charge of any retail on premise alcoholic beverage licensed premises in Madison County to immediately make an appropriate report by telephone to the Police Department of the municipality in which the premises are located and to the Madison County Sheriff, of each assault, assault and battery, affray occurring on the licensed premises, which said person is in charge thereof and while said premises are open for business. It shall further be the duty of said person to make a written report of each said incident to the Police Department of the municipality and to the Madison County Sheriff within 36 hours. Failure to make either of said reports shall be grounds for revocation or suspension of the license by the Alabama Alcoholic Beverage Control Board for the operation of said establishment.

Section 5. All local laws or parts of local laws in conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 536

On page 1, Section 2, on line 23, after the language "Provided, however, that" delete the word "any" and insert in lieu thereof:

no

and requested a Committee on Conference.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Little	Smith
Bailey	Gulledge	McDonald	Teague (B)
Britnell	Hall	Mitchem	Teague (J)
Callahan	Hilliard	Parsons	Vacca
Cook	Holmes	Pearson	Weeks
Denton	Keener	Proctor	White
Figures	Lemaster		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Smith, Lemaster, and McDonald.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 188. To prohibit the Department of Pensions and Security from issuing rules requiring persons seeking to adopt children to cease employment.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Taylor, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 188, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 188

A BILL
TO BE ENTITLED
AN ACT

To amend Section 26-19-1, Code of Alabama 1975, relating to adoption of children, so as to permit single person adoptions, and to prohibit the Department of Pensions and Security except in certain instances from promulgating rules requiring persons seeking to adopt children to cease employment.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 26-10-1, Code of Alabama 1975, is hereby amended to read as follows:

"§26-10-1. Any proper adult person, or husband and wife jointly, may petition the probate court of the county in which he or they have a legal residence, or of the county in which the child resides, or of the county in which the child had legal residence when it became a public charge, or of the county in which is located any agency or institution operating under the laws of this state having guardianship and custody of the child, for leave to adopt a child and for a change of the name of such child. Such petition for adoption shall be accompanied by an official copy of the certificate of birth of the child and shall specify the name, age and place of residence of the child, the name, age and place of residence of the petitioner, the name by which the child shall be known, whether such child is possessed of any property and the full description of the property, if any, and whether the child has one or both parents living and, in case one or both are alive, then the name or names and place or places of residence of such father and mother, unless proven to be unknown to the petitioner; provided, that if such child sought to be adopted is by previous order of a court having jurisdiction under the legal guardianship and permanent custody of the state department of pensions and security or of an institution or agency licensed by the said department for the care of children, then the names of parents may be omitted from such petition, in which case the court shall cause such allegation and the petition to be verified. In such cases the copy of the certificate of the birth of the child shall not be required. No rules or regulation of the Pensions and Security Department shall prevent an adoption by a single person solely because such person is single."

Section 2. No rule or regulation of the Department of Pensions and Security shall prevent an adoption by a person/persons solely because the person/persons is employed outside the home, provided however, the Department of Pensions and Security may exercise sound discretion in requiring

person/persons to remain in the home with a child for a reasonable period of time when a particular child requires the presence of that person/persons to insure his adjustment. Provided, however, said reasonable period of time shall not exceed sixty consecutive calendar days.

Section 3. The provisions of this Act are severable. Is any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor	
Britnell	Holmes	Pearson	Teague (B)	
deGraffenried	Kirkland	Robertson	Teague (J)	
Denton	Little	St. John	Vacca	
Goodwin	Martin	Smith	Weeks	
Gulledge	McDonald			—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 36. To authorize any Class 2, 3, 4, 5, 6, 7 or 8 municipality within the state of Alabama to adopt the council-manager form of government; to provide for the calling and holding of elections to vote thereon; to provide for the election and terms of the first council; to provide for the election and term of the mayor; to define the legal status, form of government and powers of the municipality; to provide for subsequent elections of members of the council and the mayor, their number and their terms of office; to provide for the qualifications, powers and authority of the council, the mayor, city clerk and the treasurer; and to provide for the appointment and removal and to define the powers of the city manager; to set up the terms and effects of succession in government of any municipality adopting the council-manager form of government; to provide for the establishment and re-establishment of districts and to make various other provisions for such form of government of any such municipality; and to provide for the means of abandoning the council-manager form of government.

Also:

S. 8. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

Also:

S. 62. To amend the Code of Alabama 1975, Section 36-29-5, to authorize and empower the state employees' insurance board to provide coverage

for dental and eye care and treatment under the state employees' health insurance plan; to amend sections 36-29-9 and 36-29-10 to provide a method for direct payment of premiums for persons otherwise eligible who are precluded from having the cost of their coverage deducted from a monthly benefit payment.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 246

The Senate proceeded to further consideration of the Bill, H. B. 246, as amended. The question was on the motion of Mr. St. John to reconsider the vote by which the Bill, H. B. 246, was passed.

On motion of Mr. St. John, the Rules were suspended pursuant to Senate Rules 14 (4), and he was granted permission to postpone temporarily his motion to reconsider.

RESOLUTION

Mr. Little offered the following Senate Resolution, to-wit:

S. R. 289. PROHIBITING "TIE" FOOTBALL GAMES IN
JORDAN-HARE STADIUM ON MAY 1, 1982.

Which was adopted.

CONFERENCE COMMITTEE REPORT FOR S. B. 112

We, the committee of conference appointed to reconcile the disagreement between the two houses concerning S. B. 112, have met, considered the matter and agreed to the following report.

We recommend that both houses adopt the attached Conference Committee Substitute for S. B. 112 which said substitute is made a part hereof by reference as if fully set out herein.

BILL SMITH,
ROBERT GULLEDGE,
Conferees for the Senate.

JAMES P. SMITH,
CHARLES W. WHATLEY,
Conferees for the House.

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 112

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to terminate the existence and functioning of the State Board of Heating, Air Conditioning, Roofing and Sheet Metal Contractors as provided in Sections 34-31-1 through 34-31-17 of the Code of Alabama 1975; and to create a new Board of Heating and Air Conditioning Contractors to replace the terminated board, and to repeal Sections 34-31-1 through 34-31-17, Code of Alabama 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of the State Board of Heating, Air Conditioning, Roofing and Sheet Metal Contractors, and voted to recommend the termination of the board created and functioning pursuant to Sections 34-31-1 through 34-31-17, Code of Alabama 1975, and to create an entirely new board as provided in Section 3 hereof.

Section 2. The Legislature concurs in the recommendation of the Sunset Committee provided in Section 1 of this Act.

Section 3. The existence and functioning of the Board of Heating, Air Conditioning, Roofing and Sheet Metal Contractors, created and functioning pursuant to Sections 34-31-1 through 34-31-17 of the Code of Alabama 1975 is hereby terminated and said sections of law are expressly repealed, and in its place the following enactment of law shall create a new board to replace the terminated one:

A BILL
TO BE ENTITLED
AN ACT

To create a board of Heating and Air Conditioning Contractors; to provide definitions, to express the purpose; to provide for the composition, terms, duties, powers, compensation and other matters of the board; to transfer money, equipment and property from the board created by Sections 34-31-1 through 34-31-17, Code of Alabama 1975, to the board herein created; to provide for the oath of office of board meetings; to provide business procedures and meetings of the board; to provide for a certification process for heating and air conditioning installers; to require service and repair contractors to register annually with the board; to authorize the charging of certifying and registration fees by the board and penalties for late payment of said fees; to provide for renewals certificates; to provide for an examination by the board of applicants and to provide certain exemptions from testing; to authorize the board to require bonding under certain circumstances of its certified contractors; to provide examination criteria; to provide penalties for violations of this act; to require compliance with the state administrative procedures act; and to expressly repeal Sections 34-31-1 through 34-31-17, Code of Alabama 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this act, the following terms shall have the meanings herein ascribed to them unless the context clearly indicates otherwise:

(a) **CERTIFIED CONTRACTOR.** Any individual or any regularly employed person for any partnership or corporation who for hire is engaged in the installation of heating and air conditioning systems; provided that nothing in this act shall apply to retail sellers of heating and air conditioning systems who do not install said systems themselves.

(b) **REGISTERED CONTRACTOR.** Any contractor who for hire is engaged exclusively in the service and repair of heating and air conditioning systems who does not install said system.

(c) **INSTALLATION.** The act of setting up or installing a heating and air conditioning system for operation and use.

(d) **SERVICE AND REPAIR.** The act of maintaining for operation a heating and air conditioning system which has previously been installed including parts replacement within a piece of equipment.

(e) **BOARD.** The State Board of Heating and Air Conditioning Contractors, herein established.

(f) **HEATING AND AIR CONDITIONING SYSTEMS, OR SYSTEM.** A heating and/or cooling apparatus consisting of an air heating and/or cooling fixture from pipes, plenums or blowers including any accessory and equipment installed in connection herewith; specifically excluding window units, automotive or farm implement type heating and/or air conditioning equipment.

(g) **ADMINISTRATIVE PROCEDURES LAW.** Sections 41-22-1 through 41-22-27, Code of Alabama 1975, and any subsequent amendment or supplements thereto, and any rules or regulations promulgated thereto.

(h) **RESPONSIBLE CHARGE.** The direction of projects involving the installation of service and repair of heating and air conditioning systems requiring initiation, professional skills, technical knowledge and independent judgment.

Section 2. The purpose of this act is to certify qualified contractors in order to protect the public by identifying those contractors who have the knowledge and ability to install heating and air conditioning systems, and to identify competent service and repair personnel.

Section 3. (a) There is hereby created the Board of Heating and Air Conditioning Contractors. The Board shall consist of seven members, whose initial appointments shall be effective as of July 1, 1982 as follows: One member shall be appointed by the Governor for an initial term of one year, and must be a mechanical engineer; one member shall be appointed by the Governor for an initial term of four years and must be a heating and air conditioning contractor; one member shall be appointed by the Lieutenant Governor for an initial term of three years and must be a trade representative of equipment manufacturer or supplier; one member shall be appointed by the Governor for an initial term of three years and must be a consumer from the general public; one member shall be appointed by the Speaker of the House of Representatives for an initial term of two years and must be a trade representative of service, repair parts industry; one member shall be appointed by the Lieutenant Governor for an initial term of two years, and must be a representative from county or local inspection services department; and one member shall be appointed by the Speaker of the House of Representatives for an initial term of three years, and must be a consumer from the general public. Their successors, who shall be appointed by the same respective appointing authorities, and must possess the same respective occupational qualifications, shall each serve four year terms and until their successors are appointed and qualified.

(b) All monies, equipment and property of the board created pursuant to Sections 34-31-1 through 34-31-17, shall, effective July 1, 1982, be transferred to the board created in subsection (a) above.

Section 4.

(a) The board shall elect from among its members a chairman and a secretary.

(b) The chairman shall preside over meetings of the board or designate another member to preside in his absence.

(c) The secretary shall keep the minutes, books and other records and files of the board. He shall issue all certificates in the name of the board and shall send out all notices and attend to all correspondence under the direction of the board. He shall receive and deposit all fees and perform such other duties as are incidental to his office as may be required by the board, and shall deposit said fees as provided by law.

(d) The secretary shall give bond, payable to the governor, in the penal sum of \$5,000.00 for the faithful performance of his duties, and the premium therefor shall be paid from the fees of the board.

(e) No moneys shall be withdrawn from the funds of the board except by direction of the board as provided by state law.

(f) A majority of the board shall constitute a quorum for the transaction of all business.

Section 5. Except as otherwise provided in this act, members of the board shall receive no compensation for their services, but shall be entitled to mileage and expenses for board related travel within the state at the same rate as state employees receive, to be paid from fees collected.

Section 6. The board shall meet in a regular session to perform its lawful duties at least once each three-month period.

Section 7. No individual, partnership or corporation shall advertise, solicit, bid, obtain permit, do business, or perform the function of a certified contractor unless the person or persons in responsible charge, as defined in Section 1(h) hereof, are certified contractors.

No official charged with the duty of issuing licenses to any individual, partnership or corporation to operate a business as a certified contractor shall issue such license unless there is presented for inspection a certificate of qualification as provided for herein issued by the board to the individual or to some person in responsible charge with the partnership or corporation.

Section 8. (a) For the purpose of defraying the expense in carrying out the provisions of this act, the board may fix fees to be paid by applicants for certificates, but in no event shall the charges fixed by said board exceed \$100.00. All fees fixed by the board must accompany the application for examination, and no part of said fees shall be refunded. Said fees shall be received by the board and held solely for the purpose of paying the expense of carrying out the provisions of this act.

(b) All penalties collected by the board shall be used in the manner and for the same purpose as fees.

(c) Renewals fees shall be established by the board as to insure adequate funding to support the board. Fees shall not exceed \$50.00 per year.

Section 9. All certificates provided for herein shall be renewed annually, not later than 90 days after the first day of October of each year. All holders of certificates shall be entitled to renewal thereof upon payment of a renewals fee set forth by the board as provided for in this act.

Section 10. All applicants for examinations and certificates and all applicants for renewals certificates shall be required to fill out a form which shall be provided by the board.

Section 11. (a) All prospective certified contractors in this state desiring to qualify in accordance with the provisions of this act shall be required to stand for a written examination before the board. Any applicant failing to pass his first examination for a certificate shall be entitled to take any subsequent examination, either written or, upon request of the applicant, an oral or practical examination which is equivalent to the written examination, to be held within six months from the date of his first or latest unsuccessful examination.

(b) All persons engaged in the business of installation for a period of at least two years prior to the effective date of this act shall have a 12 month period following the enactment hereof to register with the board for certification. Such persons shall not be required to stand for an examination, but shall pay the same renewal fees which are charged all other certified contractors. Persons herein certified shall be authorized to perform service and repairs without having to register as a service and repair contractor as provided in subsection (c) hereof.

(c) The board is hereby authorized to require a performance bond in the amount of \$5,000.00 per year for certified contractors who, upon valid complaint and investigation by the board, are found to have performed substandard installation work.

(d) Registered contractors are not required to be certified by the board, but shall register annually as a service and repair contractor with the board and to pay an annual registration fee of \$5.00. If any service and repair contractor fails to register within 60 days with the board, following official notice by registered mail to do so, the board may require such person to post a performance bond in the amount of \$5,000.00 per year. In addition, if any registered contractor is found by an investigation of the board pursuant to a valid complaint to have performed negligent or substandard work, the board, in its discretion, may require a performance bond in an amount of \$5,000.00 per year of such contractor.

(e) With respect to registered contractors performing service and repair services, any county or municipality, in its discretion, is hereby authorized to require that such persons be certified contractors by the board. Counties which choose to require certified contractors are specifically denied jurisdiction within the corporate limits of any municipality, or its police jurisdiction, within said county.

Section 12. The board shall provide for examinations which test the knowledge, skill and proficiency of the applicants. Subject matter shall be limited to the following subjects: safety, basic heating and air conditioning theory, refrigeration as applied to air conditioning, diagnostic trouble shooting of heating and air conditioning systems, air handling, standard mechanical codes, standard gas codes, standard electrical codes, equipment installations and duct sizing as they relate to heating and air conditioning. All test questions shall be prepared to deal with the criteria on a trade level only. Examinations shall be held at such time and place as may be fixed by the board at least once each three-month period. Written notice of the time and place of examinations shall be mailed to all persons who have filed current applications for the examinations of the board.

Section 13. The board may, in its discretion, when needed to assure financial stability, and professional competence may, in its discretion, require applicants for certification to post bond for the purpose of insuring performance by the certified contractor of any contract agreement into which

he may enter. There shall be no discrimination between contractors similarly situated, and each classification of regulated contractors for bonding purposes must be reasonable in light of the purpose of the bond.

Section 14. The board shall publish annually a list of names, addresses of all individuals and the name of their employer, if applicable, who are registered and certified by the board, and shall mail a copy of said list to all qualified individuals so registered or certified upon request to do so. The board may require a reasonable fee to cover the cost of producing and mailing said directory.

Section 15. (a) Any person engaged in business as a certified contractor or performing the functions of a certified contractor in violation of this chapter shall be guilty of a Class C misdemeanor, as defined by the state criminal code.

(b) The board may, at its discretion, impose a late penalty on those certified contractors who fail to renew certificates by December 31 of each year. The board may also remove certification from any certified person who fails to renew certificate by the first day of March and require said person to apply for a new certificate. Furthermore, the board may at its discretion, remove certification from any certified person if his or her employer knowingly endangers the general public and require said person to apply for a new certificate.

Section 16. Said procedures shall be same as those defined in the Alabama Administrative Procedures Law. The board may establish additional procedures as needed provided that said procedure is published and made public and are not in conflict with the state law.

Section 17. Any appeals to the act shall be as defined by the Alabama Administrative Procedures Law.

Section 18. All laws or parts of laws in conflict herewith are hereby repealed and Sections 34-31-1 through 34-31-17 are expressly repealed and superseded by this act.

Section 19. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Smith, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 112. Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Board of Heating, Air Conditioning, Roofing and Sheet Metal Contractors as provided in Sections 34-31-1 through 34-31-11 of the Code of Alabama 1975, with certain modifications; to amend Sections 34-31-1, 34-31-12 and 34-31-13, Code of Alabama 1975, so as to: Exempt persons who merely perform repair work from the provisions of Title 34, Chapter 31; to provide that certain persons exempted from examinations shall not be exempt after five years following passage of this amendatory Act; and to provide that applicants for licensure shall be tested on technical skills, not on business management skill.

REGULAR SESSION
30th Day

1747

Yeas 23; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Robertson
Britnell	Hall	McDonald	St. John
Callahan	Harrison	Miller	Smith
deGraffenried	Higginbotham	Mitchem	Taylor
Denton	Kirkland	Parsons	Teague (J)
Goodwin	Little	Proctor	Weeks

—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 337. To provide authority for the state board of education to establish a state-funded scholarship program for students in Alabama's public institutions of higher education who are seeking teacher certification in secondary mathematics, chemistry, physics or general science; provide that the state board of education shall receive a letter of commitment from scholarship recipients; and provide for conditional termination of the scholarship program.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Proctor, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 337, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 337

AMEND SENATE BILL 337, Section 4, on Page 3, by adding the following on line 23:

In addition, should scholarship recipients who have completed their teacher training with the assistance of the scholarship program and have been awarded a certificate to teach fail to comply with the conditions of the letter of compliance, the State Superintendent of Education shall be authorized to revoke the teaching certificate of the recipients.

Further amend Senate Bill 337, on page 1, lines 15 and 29 by adding the word "biology" following the word "physics."

Further amend Senate Bill 337, Section 2, on page 2, line 18 by adding the word "biology" following the word "chemistry."

Further amend Senate Bill 337, Section 4, on page 3, line 8 by adding the word "biology" following the word "physics."

HOUSE AMENDMENT TO S. B. 337, AS AMENDED

Amend Senate Bill 337 on page one by striking the word "public" on lines 12 and 27.

Further amend Senate Bill 337 on page one by striking the semi-colon after the word "science" on lines 15 and 29, and inserting the following language:

through enrollment in a State Board of Education approved teacher education program;

Further amend Senate Bill 337 on page two by striking the word "public" on lines 9, 16 and 33.

Further amend Senate Bill 337 on page two by striking the semi-colon after the word "science" on line 18 and inserting the following language:

through enrollment in a State Board of Education approved teacher education program;

HOUSE AMENDMENT TO S. B. 337, AS AMENDED

Amend S. B. 337 on page 3, Section _____, line 21 by striking after the word

"is"

the following: word "Authorized to" and add in lieu thereof shall pursue.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	Smith
Bailey	Hilliard	Mitchem	Teague (B)
deGraffenried	Kirkland	Parsons	Teague (J)
Denton	Little	Proctor	Vacca
Gulledge	Martin	Robertson	Weeks
Hall	McDonald	St. John	White
Harrison			

—24

Nays:

—0

MOTION TO ADJOURN LOST

At 5:20 P.M., Mr. Proctor moved that the Senate adjourn sine die at 9 o'clock this evening, which motion was lost.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 780. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; to provide for the appointment, duties, and compensation of an Executive Director and other employees of the Commission; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

The question was on the amendment offered by Mr. Bailey, which said amendment is set out in the Journal of the Senate for the Twenty-Ninth Legislative Day.

On motion of Mr. Gullledge, said amendment was laid on the table.

Mr. Kirkland offered the following substitute for the Bill, H. B. 780, to-wit:

SUBSTITUTE FOR H. B. 780

A BILL
TO BE ENTITLED
AN ACT

To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; and to suspend Sections 41-9-700 through 41-9-707, Code of Alabama 1975, during the operative period of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. a. There is hereby created and established the Alabama Indian Affairs Commission, hereafter called the Commission.

b. The Commission shall be composed of seven voting members. All members of the Commission must reside in Alabama. The voting members of the Commission shall be as follows: One member from the Poarch Band of Creeks of Escambia County (Creek Nation East of the Mississippi, Inc.); one member from the Mowa Band of Choctaws of Mobile and Washington Counties; one member from the Star Clan of Lower Muscogee Creeks of Pike County; one member from the Echota Cherokees of Alabama; one member from the Cherokees of Jackson County; one member from the United Cherokee Tribe of Alabama and one member who is a member of a Federally recognized Indian tribe, band or group, and who is not a member of any of the above groups, tribes or bands. Each of the aforementioned tribes, bands or groups shall select the appropriate numbers of members from within their tribes, bands or groups to serve on the Commission. The six selected members meeting as a whole shall appoint the one member of a Federally recognized tribe, band or group who is not a member of an Alabama tribe, band or group.

c. In addition to the voting members of the Commission, each member of the Alabama legislature who has within his district one of the aforementioned tribes, band or groups shall serve as a nonvoting ex officio member. Said nonvoting ex officio membership on the Commission shall terminate when the aforementioned tribe, band or group no longer resides within his district.

d. The terms of the members shall be for two years and run from Thanksgiving Day to Thanksgiving Day except for initial appointments which shall be from the effective date of this Act until the Thanksgiving Day next following said date. The members shall be appointed and commence membership on the Commission at the annual Thanksgiving Day festivities held in Poarch, Alabama, in Escambia County. Members shall be eligible for reappointment. Upon the death, disability, resignation, removal, or refusal to serve of any member, the tribe, group or band from which the vacancy occurs shall appoint a qualified person to fill the unexpired term.

e. Within 24 months of the effective date of this Act, each of the aforementioned identified groups must obtain Federal recognition pursuant to 25 Code of Federal Regulations 54 to participate in the Commission. The participation of any group, tribe or band designated in this Act and who has not obtained Federal recognition within said time limit shall immediately terminate. After 24 months any seats vacated shall be filled by those qualifying for Federal recognition in the order of recognition.

f. The members of the Southwest Indian Affairs Commission as it was composed on the effective date of this Act have an affirmative duty to notify any tribe, band or group affected by the provisions of this Act. Said members shall call the first meeting of the reorganized Commission within 60 days of the effective date of this Act and shall be the vehicle by which the provisions of this Act shall be implemented. All duties, functions and obligations of said members of the Southwest Indian Affairs Commission shall cease immediately upon notification being given of the first meeting of the Commission. At the first meeting of the Commission, a Chairperson shall be elected from among the members of the Commission. The Commission shall adopt a set of by-laws and be subject to Roberts' Rules of Order.

Section 2. The purpose of this Commission shall be to deal fairly and effectively with Indian affairs; to bring local, state, and federal resources into focus for the implementation or continuation of meaningful programs for Indian citizens of the State of Alabama; to provide aid for Indians as needs are demonstrated; to assist Indian communities in social and economic development; to promote recognition of the right of Indians to pursue cultural and religious traditions considered by them to be sacred and meaningful to the America Indian; and to study the existing status of state recognition of all Indian tribes presently existing in the State of Alabama, and to establish appropriate procedures to provide for legal recognition by the state of those presently unrecognized Indian tribes.

Section 3. (a) It shall be the duty of the Commission to study, consider, accumulate, compile, assemble and disseminate information on any aspect of Indian affairs; to investigate relief needs of Indians of Alabama and to provide technical assistance in the preparation of plans for the alleviation of such needs; to confer with appropriate officials of local, state, and federal governments and agencies of those concerned with Indian affairs to encourage and implement coordination of applicable resources to meet the needs of Indians in Alabama; to cooperate with and secure the assistance of the local, state and federal governments or any agencies thereof in formulating any such programs, and to coordinate such programs with any program regarding Indian Affairs adopted or planned by the federal government to the end that Alabama Indians secure the full benefit of such programs; provided, however, that such Commission is hereby authorized to directly seek and receive from the federal government any grants, funds or other benefits which may be available for Indians; to review all proposed or pending legislation and amendments to existing state legislation affecting Indians in Alabama; and to conduct public hearings on matters relating to Indian Affairs.

(b) Recognition of presently unrecognized Indian tribes presently existing in Alabama shall be determined by the Alabama Indian Affairs Commission. For purposes of this Act, "Indian Tribe" shall mean any Indian tribe, band, nation, or other organized group or community tracing their heritage to Indian tribes indigenous to Alabama for the last 200 years, and who have inhabited a specific area or community viewed American Indian and are distinct from other populations in the area. Each petitioning tribe must

submit to the Commission a roll of their members and criteria used by the petitioning tribe to determine membership of such roll. Upon receipt of a letter of intent to apply for legal recognition, the Alabama Indian Affairs Commission shall furnish the petitioner with established procedures for submitting the petition. Petitions shall be studied and a decision rendered not later than one year following receipt of said petition.

Section 4. The members of the Alabama Indian Affairs Commission shall receive no compensation for their services, other than reimbursement for travel and other expenses actually incurred in the performance of their official duties.

Section 5. a. The Commission shall meet quarterly, and at any such other time that it shall deem necessary. Special meetings may be called by the Chairman or by a petition signed by a majority of the members of the Commission. Ten (10) days' notice shall be given in writing prior to the meeting date. Such notice shall describe the matters to be discussed at the meeting.

b. A simple majority of Indian members shall constitute a quorum for the transaction of business at every meeting of the Commission.

c. Proxy vote shall not be permitted.

Section 6. The Commission is hereby authorized to employ such persons necessary to carry out the provisions of this Act.

Section 7. The Commission is authorized to receive and hold gifts, devises, bequests of money, real estate and other things of value to be used in the support and development of its work.

Section 8. There is hereby appropriated out of funds in the state treasury not otherwise appropriated the sum of \$125,000 for each of the fiscal years ending September 30, 1982, and September 30, 1983, for the operation of the Commission, which funds shall be disbursed in accordance with a financial management system approved by the Commission.

Section 9. The Commission shall prepare a written annual report giving an account of its proceedings, transactions, finding, and recommendations. This report shall be submitted to the Governor and the legislature. The report will become a matter of public record and will be maintained in the State Department of Archives and History.

Section 10. a. Fiscal records shall be kept by the Commission or its designated employees, and will be subject to annual audit by the State Examiner of Public Accounts. The audit report will become a part of the annual report.

b. Commission members or employees of the Commission who are responsible for receiving and disbursing Commission funds shall be bonded in an amount satisfactory to the Commission, but not less than \$50,000.

Section 11. All laws or parts of laws and specifically those parts of Sections 41-9-700 through 41-9-707, Code of Alabama 1975, that conflict with this Act are hereby suspended for a 24-month period after the effective date of this Act. On January 1, 1985, the provisions of Sections 41-9-700 through 41-9-707, Code of Alabama 1975, shall have full force and effect unless otherwise provided for by legislative enactment by the passage and approval of an Act or by joint resolution.

Section 12. This Act shall become effective January 1, 1983.

Which was adopted.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Gulledge	Little	Proctor
Bailey	Harrison	Martin	St. John
Britnell	Higginbotham	McDonald	Smith
Callahan	Holmes	Miller	Teague (B)
deGraffenried	Keener	Mitchem	Teague (J)
Denton	Kirkland	Parsons	White
Goodwin	Lemaster		

—25

Nays: Messrs.: Hall, Hilliard and Robertson.

—3

On motion of Mr. Kirkland, further consideration of the Bill, H. B. 780, as amended by the substitute, was postponed temporarily.

Mr. St. John requested and received permission to suspend the Rules in order to bring up the Bill:

H. 341. To amend the "Hazardous Waste Management Act of 1978," as amended, and as now appearing as Sections 22-30-1 through 22-30-24, Code of Alabama 1975, specifically amending Sections 22-30-12, 22-30-13, and 22-30-19 of the Code, so as to correct typographical errors and to clarify the penalties section of the Act; to define "criminal negligence" under the act and to further provide for the application of the penalties section to the storage facilities, all of which are necessary to comply with federal law and the rules and regulations formulated by the United State Environmental Protection Agency for the continued approval and funding of Alabama's hazardous waste management program in lieu of federal administration; to insure that hazardous waste shipped outside of the State of Alabama is transported to and disposed of in only those sites approved by either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency; and to ensure that the State Board of Health and the Division charged with responsibility for recommending approval or disapproval of hazardous waste site permit applications have sufficient time to make a complete and thorough review of the permit application prior to any approval of such application.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, H. B. 341, to-wit:

SUBSTITUTE FOR H. B. 341.

A BILL TO BE ENTITLED AN ACT

To amend the "Hazardous Waste Management Act of 1978", as amended, and as now appearing as Sections 22-30-1 through 22-30-24, Code of Alabama 1975, specifically amending Sections 22-30-12, 22-30-13, 22-30-17 and 22-30-19 of the Code, so as to correct typographical errors and to clarify the penalties section of the Act; to provide strict liability monetary sanctions for certain enumerated acts, to define "criminal negligence" under the act and to further provide for the application of the penalties section to the storage facilities, all of which are necessary to comply with federal law and the rules and regulations formulated by the United States Environmental Protection Agency for the continued approval and funding of Alabama's hazardous

waste management program in lieu of federal administration; to allow substitution of proper shipping papers for the manifest to accompany bulk shipments by rail and water; to insure that hazardous waste shipped outside of the State of Alabama is transported to and disposed of in only those sites approved by either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency; and to ensure that the State Board of Health and the Division charged with responsibility for recommending approval or disapproval of hazardous waste site permit applications have sufficient time to make a complete and thorough review of the permit application prior to any approval of such application, but limits the number of permits for commercial hazardous waste facilities and sites in any one county without legislative approval.

Be It Enacted By The Legislature of Alabama:

Section 1. Sections 22-30-12, 22-30-13, 22-30-17, and 22-30-19, Code of Alabama 1975, are hereby amended to read as follows:

"§22-30-12.

"(a) Not later than February 8, 1979, the board shall promulgate a permit program for hazardous waste management practices and promulgate criteria for issuing permits and regulations indentifying procedures for obtaining permits or approval.

"(b) The board shall encourage and utilize, to the maximum extent, private enterprise and investment capital in the planning, design, construction and operation of hazardous waste processing facilities and disposal sites.

"(c) General requirements:

"(1) The board shall issue permits for all hazardous waste transportation, storage or treatment facilities and disposal sites constructed and operated in compliance with the regulations, guidelines and standards promulgated by the board. Provided the board shall issue permits for no more than one hazardous waste treatment facility or disposal site as defined by §§22-30-(3) and 22-30-3(15), Code of Alabama 1975, as amended, operated as a commercial facility or site for the treatment or disposal of hazardous waste by a person or persons other than the generator, situated within one county of the state without legislative resolution giving approval therefor. Before any site permit is issued, the board shall give proper notice of the application therefor to the appropriate local governing bodies having jurisdiction over the proposed site and shall hold a public hearing on the matter. The board must approve or disapprove the application within 90 days. Any application not receiving action by the board in the specified time shall be considered approved. The board shall act with all reasonable speed in reviewing the application consistent with protecting the public health and the environment.

"(2) Upon filing of an application by any person proposing to transport, store, treat or dispose of hazardous wastes, the board is authorized to investigate the equipment, facilities and proposed practices of the applicant and all other circumstances and conditions deemed material by the board. The board is authorized to collect from the applicant an amount equal to its expenses in making the investigation.

"(3) No person shall engage in transporting, storage, treatment or disposal of hazardous wastes without a permit or prior approval from the board. Generators of hazardous waste who merely concentrate and/or prepare such

waste for shipment and do not engage in the transportation, storage, treatment or disposal of hazardous waste are exempt from the permit requirement.

"(4) Any person proposing to transport hazardous waste or to construct and operate a site for the storage, treatment and/or disposal of hazardous waste shall submit, prior to the granting or any permit, a surety bond in which the applicant is the principal obligor and the board is the obligee, or evidence satisfactory to the board of a net worth of an amount equal to 10 times the value of the proposed surety bond. The amount of the bond shall be determined by the board in each individual case, based upon the scope and size of the operation proposed.

"(5) No person shall commence construction of any proposed facility or site without having first filed an application for and received a construction permit from the board.

"(6) No person shall commence operation of any hazardous waste transportation, storage or treatment facility or disposal site without having first obtained a permit from the board.

"(7) No person shall deliver any hazardous wastes to a hazardous waste transportation, storage or treatment facility or hazardous wastes disposal site which has not received a permit from the board.

"(8) Ownership of hazardous waste shall transfer upon receipt of the hazardous waste unless otherwise provided.

"(9) Existing facilities and sites shall be granted a permit variance subsequent to sufficient evidence being presented at a hearing to assure that the facility is, or will be within a reasonable period of time, in compliance with the rules and regulations, guidelines, criteria and standards promulgated by the board.

"(10) Permits or licenses for all hazardous waste transportation, storage or treatment facilities and disposal sites previously issued by the board or by any other agency of the state under any statute shall continue in effect for a minimum period of 60 days following the effective date of the rules and regulations promulgated under this chapter and for such additional period as the board may by rule establish.

"(11) No provisions of this chapter shall be construed to prohibit disposal of hazardous wastes at the site of production or generation if the disposal site is in compliance with this chapter or rules and regulations promulgated hereunder.

"(d) Upon a determination by the board of noncompliance by a facility having a permit under this section with the requirements of this section or of noncompliance with the responsibilities set forth in sections 22-30-14, 22-30-15 and 22-30-16, the board may revoke such permit."

"§22-30-13.

"All persons generating hazardous wastes shall dispose of such wastes in accordance with one of the following methods which shall be detailed by regulations:

"(1) A generator may dispose of such wastes at its own private site, provided such site is operated under a valid permit from the board.

"(2) A generator may dispose of such wastes at a privately operated disposal site, provided such site is operated under a valid permit from the board or, if it is out of state, approved by that state approving authority either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency.

"(3) A generator may contract with a private transporter to dispose of such wastes, provided the transporter is operating under a valid permit from the board and disposes of the waste at a site which is operating under a valid permit from the board or, if out of state, approved by that state's approving authority either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency.

"(4) A generator may dispose of such wastes at a public site operated under a valid permit from the board or, if out of state, approved by that state's approving authority either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency."

"§22-30-17.

"(a) The board shall develop and promulgate a manifest. The hazardous waste technical advisory committee shall review the manifest and submit recommendations to the board.

"(b) The board shall, after publication of notice and conduct of a public hearing, promulgate a manifest to be originated by the hazardous waste generators in accordance with the regulations promulgated by the board.

"(c) After six months following the effective date of the regulations promulgated under this chapter, a manifest shall be required to accompany transportation, storage, treatment and/or disposal of hazardous waste, provided, however, that regarding bulk shipments by rail or water, a shipping paper may be substituted for the manifest if the shipping papers meet the requirements set out in the regulations promulgated under this chapter. The manifest shall be originated by the hazardous waste generator identifying the hazardous waste transported, the quantity of such waste, the general, chemical, physical and mineral composition of such waste identified by probable maximum and minimum percentages and such other information as the Board may require.

"(d) A copy of the complete manifest shall be forwarded to the board by those processing hazardous waste."

"§22-30-19.

"(a) Whenever the board determines that any person is in violation of any requirement or standard under this chapter or rules and regulations issued hereunder the board shall give written notice to such party of such violation.

"(b) If such violation extends beyond the thirtieth day after notification by the board, the board may issue an order requiring compliance within a specified time period, or, in cases where imminent danger to public health and safety is demonstrated, suspend operations causing such danger until the board determines that adequate steps are being taken to correct such violations; to the board may commence a civil action in the circuit court in the civil action in the circuit court in the county in which such alleged violation occurred, for appropriate relief, including temporary or permanent mandatory or prohibitive injunctive relief.

"(c) Without regard to the thirty day waiting period in subsection (b) of this section, in cases of imminent danger or irreparable damage to public health or safety, the board at any time prior to the expiration of the thirtieth day after notification of violation, may commence an immediate civil action in the circuit court in the county in which such alleged violation occurred, for appropriate relief, including temporary or permanent mandatory or prohibitive injunction relief.

"(d) Any order issued under this section shall state the nature of the violation and the time period within which compliance is required. The amount of any civil monetary penalty sought shall be determined by the board on the basis of the seriousness of the violation, and whether any good faith efforts were or are being made to comply with the applicable requirements or standards. If a person fails to take the corrective action required within the time specified in an order issued pursuant to subsection (b) of this section he shall be liable for civil monetary penalties of not more than \$25,000.00 each day for the violation complained of in such order. The board may adopt such assessment procedures as may be promulgated or approved by the United States Environmental Protection Agency or other such federal agencies; and the board may suspend or revoke any permit issued to the violator.

"(e) Any order of suspension or revocation of a permit shall become final unless the person named in such suspension or revocation order requests a hearing within 30 days after the order or notice of suspension or revocation is served upon such person or persons. Upon such request, the board shall promptly conduct a hearing.

"(f) If a person fails to pay any civil monetary penalty assessed under this section, the board may institute a civil action against such person in the circuit court of any county in which such a person is found, resides or transacts business to collect such penalty or cost. Such court shall have exclusive jurisdiction to hear and decide any such action. The court shall sustain the board's findings of violation and assessment of civil penalty if such action is supported by fair preponderance of the evidence.

"(g) The board is hereby authorized and empowered to compromise and settle any penalty under this section in such amount, which in the discretion of the board may appear appropriate and equitable, to a maximum of 90 percent of the penalty when within one year or such other period as the board may deem reasonable the person takes action to eliminate or correct such violation to the satisfaction of the board.

"(h) For the purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, duly designated officers or employees of the board are authorized to enter, at reasonable times, any establishment or other place maintained by any person where hazardous wastes are generated, stored, created, treated or disposed of. Each such inspection shall be commenced and completed with reasonable promptness. If the officer or employee obtains any samples prior to leaving the premises, such officer or employee shall give to the owner, operator or agent in charge a receipt describing the sample obtained and, if requested, a portion of each such sample equal in volume or weight to the portion obtained. If any analysis is made of such sample, a copy of the results of such analysis shall be furnished promptly to the owner, operator or agent in charge. Any records, reports or information obtained from any person under this section shall be subject to the provisions of sections 22-30-9 concerning trade secrets.

"(i) Any person who: with criminal negligence.

"(1) Transports any hazardous waste listed under this chapter to a facility which does not have a permit under section 22-30-12;

"(2) Treats, stores, for more than 90 days, or disposes of any hazardous waste listed under this chapter without having obtained a permit therefor under this chapter; or provided, however, that any generator of a hazardous waste under this chapter who stores such waste on-site for 90 days or less shall not be in violation of this subsection;

"(3) Through his handling of any hazardous waste allows such waste to contaminate groundwater without having obtained a permit therefor under this chapter; or, if permitted, violates the conditions of such permit or

"(4) Makes any false statement or representation in any application, label, manifest, record, report, permit or other document filed, maintained or used for purposes of compliance with this chapter shall, be subject to a penalty of not more than \$25,000.00 for each day of violation, which penalty may be recovered in a civil action in circuit court. After such person shall have once been adjudicated to have violated any provision of this subsection (i), such person shall be subject to a penalty of not more than \$50,000.00 per day of violation in any subsequent adjudication of violation of the provisions of this subsection (i);

"(j) Any person who knowingly or with criminal negligence, as that term is defined in Code of Alabama 1975, § 13A-2-2(4):

"(1) Transports any hazardous waste listed under this chapter to a facility which does not have a permit under Section 22-30-12;

(2) Treats, stores, for more than 90 days, or disposes of any hazardous waste listed under this chapter without having obtained a permit therefore under this chapter; or provided, however, that any generator of a hazardous waste listed under this chapter who stores such waste on-site for 90 days or less shall not be in violation of this subsection;

"(3) Through his handling of any hazardous waste allows such waste to contaminate groundwater without having obtained a permit therefore under this chapter; or, if permitted, violates the conditions of such permit or

"(4) Makes any false statement or representative representation in any application, label, manifest, record, report, permit or other document filed, maintained or used for purposes of compliance with this chapter shall, upon conviction, be subject to a fine of not more than \$25,000.00 for each day of violation, or to imprisonment not to exceed ten years, or both. If the conviction is for a violation committed after a first conviction of such person, under this chapter, punishment shall be a fine of not more than \$50,000.00 per day of violation, or by imprisonment of not more than twenty years, or by both."

Section 2. All laws or parts of laws, special, local or general, which conflict or are inconsistent with this Act are hereby repealed, insofar as such laws or parts of laws conflict or are inconsistent with this Act; and Act 81-1189, Third Special Session 1981, is hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 2.

Yeas:

Messrs.:	Goodwin	Martin	St. John	
Bailey	Gulledge	Miller	Teague (B)	
Britnell	Hall	Mitchem	Teague (J)	
Cook	Holmes	Parsons	Vacca	
deGraffenried	Keener	Robertson	White	
Denton	Kirkland			—21

Nays: Messrs.: Little and McDonald. —2

On motion of Mr. St. John, further consideration of the Bill, H. B. 341, as amended by the substitute, was postponed temporarily.

RESOLUTION

Mr. Gulledge offered the following Senate Resolution, to-wit:

S. R. 290. MOURNING THE DEATH OF MR. WILLIAM HORACE DRIVER OF LOXLEY, ALABAMA, PROMINENT ALABAMA CATTLEMAN AND BUSINESSMAN.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 2. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Parsons, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 2, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 82

A BILL TO BE ENTITLED AN ACT

To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools and to provide penalties for failure to report said incidents.

Be It Enacted by the Legislature of Alabama:

Section 1. For purposes of the Act, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise:

(a) "Incident" shall mean any act of physical violence, with or without a weapon, trespass, vandalism, or property damage which occurs: (a) on school property; or (b) during school activities, on or off school property; or (c) at any other times when such incident can be reasonably related to school functions. Provided, however, that incidents involving only students from the same school wherein no dangerous weapon was involved and no bodily injury requiring medical attention occurs shall not be required to be reported as provided herein. All attacks or incidents involving teachers or other school personnel shall be promptly reported.

(b) "Principal" means the principal or top administrator of any public elementary, junior or senior high school at which the incident occurred.

(c) "Superintendent of education" means the superintendent of the county or city board of education in the county in which the school is located.

(d) "Report" means a written narrative report of an incident, the number and names and addresses of persons involved in the incident, the type of any weapon involved and a description of any injury or damage resulting from the incident. Said report shall contain the names and addresses of all known persons present at the time of said incident.

(e) "Teacher and other school employee" means an employee of any public elementary, junior or senior high school at which the incident occurred.

(f) "School board" means the board of education

(g) "County sheriff" means the sheriff of the county in which the public school is located.

Section 2. It is the intention of the Legislature by passage of the Act to require principals, teachers and other school employees of public elementary, junior and senior high schools to make reports of violent disruptive incidents occurring on school property during school hours or during school activities conducted on or off school property after school hours or at any other time when such incident can be reasonably related to school or school functions and to provide for penalties for failure to report such incidents.

Section 3. Principals shall file a report within 72 hours with the superintendent of education of any incident of which they have knowledge. A copy of the report shall also be furnished members of the school board and the county sheriff by the superintendent of education.

Section 4. Teachers and other school employees shall immediately report to the principal of any incident of which they have knowledge. Said teacher and employee shall assist the principal in the preparation of the report required under the Section 3 of this Act.

Section 5. Any superintendent of education, principal, teacher, or employee who violates the provisions of this Act by failure to file a required report shall be guilty of a Class C misdemeanor.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective on the first day that the public elementary, junior and senior high schools begin classes for the 1982-83 school year.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	Little	ST. John	
Bailey	Harrison	Martin	Smith	
Britnell	Higginbotham	Miller	Teague (B)	
Cook	Hilliard	Mitchem	Teague (J)	
deGraffenried	Holmes	Parsons	Vacca	
Goodwin	Keener	Proctor	Weeks	
Gulledge	Kirkland			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 236. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Martin, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 236, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 236

Amend S. 236 on page 2, Section 2, on line 15, after the word "law;" by deleting the following language through line 18.

provided, however, that it shall not become operative until the beginning of the next term of office of the members of the boards of registrars of this state.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Smith	
Bailey	Hall	McDonald	Teague (B)	
Britnell	Harrison	Miller	Teague (J)	
Callahan	Higginbotham	Mitchem	Vacca	
deGraffenried	Keener	Parsons	Weeks	
Denton	Lemaster	Proctor	White	
Goodwin	Little	St. John		—26

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 312. To make a supplemental appropriation from the Alabama Special Educational Trust Fund to the Madison County Board of Education for capital outlay purposes to be used to restore or replace the Central School which was destroyed by fire.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 312, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 312

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Madison County Board of Education and Bessemer Board of Education for capital outlay purposes to be used to restore or replace the Central School and Jess Lanier High School which were destroyed by fire.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby made a conditional appropriation in the sum of \$1,000,000 from the Alabama Special Educational Trust Fund in the state treasury to the Madison County Board of Education for capital outlay purposes to be used to restore or replace the Central School which was destroyed by fire. This appropriation shall be conditioned upon the availability of funds in the ASETF and the approval of the Governor.

Section 2. There is hereby made a conditional appropriation of \$500,000 from the Alabama Special Educational Trust Fund for capital outlay purposes to be used to restore or replace the Jess Lanier High School which was destroyed by fire. This appropriation shall be conditioned upon the availability of funds in the ASETF and the approval of the Governor.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 312

Amend Senate Bill 312, in the Synopsis, line 12, after the word "Education" by inserting and Dallas County Board of Education. And on line 14, after the words "High School" by inserting and Dallas County High School at Plantersville

Further amend the bill in the Title, line 23, after the word "Education" and before the word "for" by inserting and Dallas County Board of Education.

And on line 25, after the words "High School" by inserting and Dallas County High School at Plantersville.

Further amend the bill, page 2, immediately following line 6 by inserting a new Section 3 and by renumbering remaining sections accordingly. New Section 3 to read as follows:

Section 3. There is hereby made a conditional appropriation of \$700,000 from the Alabama Special Educational Trust Fund for capital outlay purposes to be used to restore or replace the Dallas County High School at Plantersville which was destroyed by fire. This appropriation shall be conditioned upon the availability of funds in the ASETF and the approval by the Governor.

HOUSE AMENDMENT TO THE SUBSTITUTE AS AMENDED, FOR S. B. 312

Amend Senate Bill 312, in the Synopsis, line 12, after the word "Education" by inserting Bullock and Dallas County Board of Education.

Further amend the bill in the Title, line 23, after the word "Education" and before the word "for" by inserting Bullock County Board of Education.

Further amend the bill, page 2, immediately following line 6 by inserting in section 3 as follows:

There is hereby made a conditional appropriation of \$200,000 from the Alabama Special Educational Trust Fund for capital outlay purposes to the Bullock Co. Bd. of Education. This appropriation shall be conditioned upon the availability of funds in the ASETF and the approval by the Governor.

HOUSE AMENDMENT TO THE SUBSTITUTE, AS AMENDED, FOR S. B. 312

Amend Senate Bill 312, in the Synopsis, line 12, after the word "Education" by inserting Macon County Board of Education.

Further amend the bill in the Title, line 23, after the word "Education" and before the word "for" by inserting and Macon County Board of Education.

Further amend the bill, page 2, immediately following line 6 by inserting in section 3 as follows:

Section 3. There is hereby made a conditional appropriation of \$200,000 from the Alabama Special Educational Trust Fund for capital outlay purposes to Macon Co. Bd. of Education. This appropriation shall be conditioned upon the availability of funds in the ASETF and the approval by the Governor.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Hall	Little	St. John
Bailey	Harrison	McDonald	Smith
Britnell	Higginbotham	Miller	Teague (J)
Cook	Holmes	Mitchem	Vacca
deGraffenried	Keener	Parsons	Weeks
Denton	Kirkland	Proctor	White
Gulledge	Lemaster	Robertson	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 517. RELATING TO SCHOOL DISTRICT ONE, MADISON COUNTY; Authorizing the County Governing Body of Madison County to levy, assess and collect franchise, excise and privilege license taxes in School District One, Madison County, in order to raise funds for the operation of the public schools in School District One, Madison County; providing certain limitations on the levying of the taxes; providing for the enforcement and collection of the tax and distribution thereof, and prescribing the purposes for which such proceeds may be used.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 517, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 517

A BILL
TO BE ENTITLED
AN ACT

Relating to School District One, Madison County; authorizing the county governing body of Madison County to levy, assess and collect a one percent sales and use tax in school District One, Madison County, in order to raise funds for the operation of the public schools in School District One, Madison County; providing certain limitations on the levying of the tax; providing for the enforcement and collection of the tax and distribution thereof; prescribing the purposes for which such proceeds may be used; providing for a referendum on said tax.

Be It Enacted by the Legislature of Alabama:

Section 1. In order to provide funds for the operation of the public schools in School District One, Madison County, the governing body of Madison County is hereby authorized by ordinance to levy and provide for the collection of a one percent sales and use tax in School District One, Madison County, which shall be in addition to any and all other county taxes heretofore or hereafter authorized by law in School District One, Madison County. The governing body of Madison County shall submit the question of levying any such tax to a vote of qualified electors of School District One, Madison County and shall also provide for holding and canvassing the returns of the election and for giving notice thereof. The cost of the referendum shall be paid by the county board of education. All the proceeds from any tax levied pursuant to this Act, less the cost of collection thereof, shall be used exclusively for public school purposes in School District One, Madison County. Said sales or use tax shall parallel, except for the rate of tax, the provisions imposed by the State of Alabama under Title 40, Chapter 23, Code of Alabama, 1975, and additions and amendments thereof, and said sales and use tax so levied shall not amount to more than one-half (½) of the State levy provided for therein.

Section 2. The collection, enforcement, administration and disposition of funds collected and the charge for collecting same shall be in accordance with the provisions of Sections 40-12-5 through 40-12-7, Code of Alabama 1975, and any additions and amendments thereto.

Section 3. The proceeds of the taxes imposed by this Act, when collected, shall be paid by the governing body of Madison County, Alabama, to the custodian of the county school funds of School District One, Madison County.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of law which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOUSE AMENDMENT TO THE SUBSTITUTE FOR S. B. 517

Delete Section 6, page 2, lines 33 through 35 and substitute therefor the following Section 6:

Section 6. The tax herein authorized and the provisions of this act shall become effective and operable only if approved by a majority of the voters of Madison County residing in school district one and voting thereon in only one election held for such purpose. If a majority of the aforementioned electors vote no, said tax and the provisions of this act shall have no legal force or effect and shall not subsequently be voted on by the Madison County voters.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Proctor
Bailey	Gulledge	Little	Smith
Britnell	Hall	McDonald	Teague (J)
Callahan	Harrison	Mitchem	Vacca
Cook	Hilliard	Parsons	Weeks
Denton	Holmes	Pearson	White
Figures	Keener		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 266. To amend Section 9-11-257, Code of Alabama 1975, relating to hunting within 100 yards of public roads, so as to increase penalties for the violation thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 266, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 266

A BILL
TO BE ENTITLED
AN ACT

To amend Section 9-11-257, Code of Alabama 1975, relating to hunting within 100 yards of roads, highways, or railroads without permission from adjacent landowner, so as to increase penalties for the violation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9-11-257, Code of Alabama 1975, as last amended, is hereby amended to read as follows:

"§9-11-257.

Any person who hunts within a distance of 100 yards of any road, highway, or railroad in this state or who explodes any firearms while hunting within such proximity of a road, highway or railroad where such person does not have permission from an adjacent landowner shall be guilty of a misdemeanor and, upon conviction, shall be punished for the first offense by a fine of not less than \$25.00 \$250.00, nor more than \$50.00 for each offense. and shall be punished for the second and each subsequent offense by a fine of not less than \$500.00 and shall have all hunting license privileges revoked for one (1) year from the date of conviction."

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	St. John
Bailey	Higginbotham	McDonald	Taylor
Britnell	Holmes	Miller	Teague (B)
deGraffenried	Keener	Mitchem	Teague (J)
Denton	Kirkland	Parsons	Weeks
Goodwin	Lemaster	Pearson	White
Gulledge	Little	Proctor	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 788. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Reps. Dial, Shoemaker and Johnson (R. G.).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teague (J), the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 788, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	St. John
Bailey	Gulledge	McDonald	Smith
Britnell	Hall	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (J)
Cook	Kirkland	Parsons	Weeks
Denton	Lemaster	Proctor	White
Figures	Little		—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs, Teague (J), Proctor, and Holmes.

FURTHER CONSIDERATION OF H. B. 780

The Senate proceeded to further consideration of the Bill, H. B. 780, as amended by the substitute.

And said Bill, H. B. 780, as amended by the substitute, was read a third time at length and passed.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Harrison	McDonald	Smith
Bailey	Higginbotham	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
Cook	Kirkland	Parsons	Teague (J)
Goodwin	Lemaster	Pearson	Vacca
Gulledge	Little	Proctor	Weeks
Hall	Martin	Robertson	—26

Nays: Messrs.: Britnell, Denton and Hilliard. —3

FURTHER CONSIDERATION OF H. B. 341

The Senate proceeded to further consideration of the Bill, H. B. 341, as amended by the substitute.

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Mr. Taylor offered the following amendment to the Bill, H. B. 341, to-wit:

AMENDMENT TO H. B. 341

Amend H. 341 as follows:

On page 10, delete the Section 2, lines 25 through 29, in its entirety and insert in lieu thereof the following:

Section 2. All laws or parts of laws, special, local or general, which conflict or are inconsistent with this Act are hereby repealed, insofar as such laws or parts of laws conflict or are inconsistent with this Act; however, it is expressly provided that no provision of this Act shall be construed to repeal in whole or in part any provision of Act No/81-1189, H. 24, Third Special Session 1981.

Mr. St. John moved that said amendment be laid on the table, which motion was lost.

Yeas 9; Nays 12.

Yeas:

Messrs.:	Holmes	St. John	Weeks	
Cook	Pearson	Teague (J)	White	
Goodwin	Robertson			—9

Nays:

Messrs.:	Hilliard	Miller	Proctor	
Britnell	Lemaster	Mitchem	Smith	
Hall	Little	Parsons	Taylor	
Harrison				—12

And said amendment was then lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	Lemaster	Miller	Robertson	
Britnell	Little	Mitchem	Smith	
Hall	McDonald	Parsons	Taylor	
Harrison				—12

Nays:

Messrs.:	Figures	Keener	Teague (B)	
Cook	Goodwin	Pearson	Teague (J)	
deGraffenried	Hilliard	Proctor	Weeks	
Denton	Holmes	St. John	White	
				—15

Mr. Taylor then offered the following amendment to the Bill, H. B. 341, to-wit:

AMENDMENT TO H. B. 341

Amend House Bill No. 341 Page 6 Line 7, 8 & 13 by striking out "either" & "or" and inserting "and" in place of "or"

Which was adopted.

Yeas 16; Nays 3.

Yeas:

Messrs.:	Gulledge	Lemaster	Parsons	
Bailey	Hall	Little	Smith	
Britnell	Harrison	Martin	Taylor	
Denton	Holmes	Mitchem	White	
Goodwin				—16

Nays: Messrs.: Proctor, Robertson and Teague (J). —3

And said Bill, H. B. 341, as amended by the substitute, as thus amended, was read a third time at length and passed.

Yeas 18; Nays 6.

Yeas:

Messrs.:	Goodwin	Keener	Proctor	
Bailey	Gulledge	Lemaster	Teague (J)	
Britnell	Hall	Martin	Weeks	
deGraffenried	Higginbotham	Parsons	White	
Denton	Holmes	Pearson		—18

Nays: Messrs.: Harrison, Little, Miller, Mitchem, Robertson and Taylor. —6

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 221. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Little moved that the Senate non-concur in the following House amendment to the Bill, S. B. 221, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 221

A BILL TO BE ENTITLED AN ACT

To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 36-29-1 of the Code of Alabama 1975 is hereby amended to read as follows:

"§36-29-1.

"When used in this Chapter, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

"(1) **EMPLOYEE.** A person who works full-time for the State of Alabama or for a county health department and who received his full compensation on a monthly basis through means of a state warrant drawn upon the state treasury or by check drawn upon the state treasury or by check drawn by the treasurer of the Alabama State docks' department or by check drawn by the treasurer of the Alabama state agency for surplus property other than those employees covered by the federal Railroad Retirement Act. Such term shall also include those persons who shall retire from the service of the State of Alabama after September 2, 1965, and who, at the time of such retirement, met the criteria set out in this chapter and who, following such retirement, draw a monthly benefit from the employees' retirement system of Alabama; provided that the full-time employees of the county health department in all counties having populations of not less than 300,000 nor more than 500,000 shall also be include in the definition of employee for the purpose of this chapter, and the health department of any such county is hereby authorized to pay the employer's share of any contributions to the retirement fund; provided further, that any district attorney or full-time employees in the district attorney's office, of any judicial circuit shall be included in the definition of employee for the purpose of this chapter, and the respective judicial circuits are hereby authorized to pay the employer's share of any contribution therefor and any person employed part-time by the state of Alabama shall be included in the definition of employee as defined in this Chapter provided such person shall agree to have deducted from his salary a pro rata portion of the premium cost of a full-time state employee based on the percentage of time such person is employed by the State according to rules and regulations established by the State Employees' Insurance Board.

"(2) **BOARD.** The state employees' insurance board."

Section 2. This act shall become effective on the first day of the second month following its passage and approval by the Governor or upon its otherwise becoming a law.

and request a Committee on Conference.

On motion of Mr. Parsons, the motion to non-concur was laid on the table.

On motion of Mr. Higginbotham, the Senate non-concurred in the House amendment to the Bill, S. B. 221, and requested an Extraordinary Committee on Conference.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor
Britnell	Higginbotham	Mitchem	Teague (B)
deGraffenried	Holmes	Parsons	Vacca
Denton	Little	Proctor	Weeks
Goodwin	McDonald	Smith	White
Gulledge			

—20

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Extraordinary Committee on part of the Senate Messrs. Parsons, Britnell, and Little.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. J. R. 269. TO EXTEND THE LIFE OF THE JOINT INTERIM COMMITTEE TO STUDY NEW GUIDELINES OF THE FARMERS HOME ADMINISTRATION.

Also:

S. 56. To exempt incorporated municipalities and incorporated municipal boards of this state from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama 1975; to establish an effective date.

Also:

S. 66. To remove the requirement of driver education for graduation; to require local school systems to provide the opportunity for driver education; to provide for the protection of driver education teachers currently employed and provide requirements for optional driver education courses.

Also:

S. 96. Relating to the Department of Youth Services; to designate the department as a special school district within the state; to designate a position of superintendent of education for the special district with the responsibility for administering the education programs of the Department of Youth Services in conjunction with its director; to provide for the qualifications and the filling of the superintendent's position and providing for the duties and responsibilities for the superintendent; to provide for a funding formula and policy for the district; to grandfather the teaching employees of the Department of Youth Services who have been employed by the Department for at least six months and have been granted tenure as of the date that this act becomes effective; to provide non-teaching personnel coverage under the state merit system; to provide for an employment procedure for new personnel to be hired after this Act is in effect; to provide for a salary schedule for all personnel of the Department; to provide for the continuation of leave days and other benefits available to the effective date of this Act; to provide that the Youth Services Board and the superintendent of the newly created school district shall bear the same relationship to the state board of education and the state superintendent as do county boards of education and county superintendents; and to provide that the provisions of this act shall be construed in pari materia with Title 44, Chapter 1 and Chapter 2, Code of Alabama 1975, and shall supersede and repeal such provisions of law only to the extent there exists a conflict herewith.

Also:

S. 193. To amend Section 10-2A-25, Code of Alabama 1975, as amended, so as to provide that the name of the corporation, if a bank, need not use the word "corporation," "incorporated," or an abbreviation thereof, but instead shall use the words "bank," "banking" or "bankers."

Also:

S. 267. To amend Section 9-11-235, Code of Alabama 1975, relating to nighttime hunting, so as to increase and amend certain penalties for the violation thereof.

Also:

S. 269. To amend Section 9-11-241, Code of Alabama (1975), relating to daytime hunting on the lands of another, so as to increase certain penalties for the violation thereof.

Also:

S. 270. To amend Section 9-11-242, Code of Alabama (1975), relating to nighttime hunting on the lands of another, so as to increase penalties for the violation thereof.

Also:

S. 300. To authorize the Alabama Supreme Court to hire six staff attorneys and to pay the necessary salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

Also:

S. 343. To provide a mechanism for funding of multi-service programs designed to promote economic self-sufficiency among low-income citizens of the State of Alabama; providing that 95% of monies received from the Community Services Block Grant Act shall be appropriated to Community Action Agencies as prescribed herein; to provide an allocation schedule; to designate eligible Community Action and certain other agencies under this act; to prescribe duties and responsibilities of Community Action Agencies; to define certain other agencies to be named limited purpose agencies which shall qualify for funds under the provisions of this act and to provide for the administration of the programs of such agencies and to prescribe their duties and responsibilities; to define service areas for Community Action Agencies and limited purpose agencies; to prescribe guidelines for the operation of Community Action Programs under this act.

Also:

S. 377. To authorize the carrying of a handgun by any honorably retired law enforcement officer whose retirement was not based on any pending disciplinary or legal action.

Also:

S. 386. To exempt from the payment of any and all state, county and municipal ad valorem taxes, the Board of Trustees of the Susie Parker Stringfellow Memorial Hospital established and created under the Last Will and Testament of Susie P. Stringfellow, deceased, and Stringfellow Memorial Hospital Non-Profit Realty Company, a nonprofit corporation, and all real and personal property of said Board of Trustees or said nonprofit corporation, to provide that any and all such ad valorem taxes which were, are or may be collected as the result of any assessment against said Board of Trustees or said nonprofit corporation, or any real or personal property of said Board of Trustees or said nonprofit corporation, shall be remitted to the entity which paid them and to provide that no action or proceeding for the collection or enforcement of any such ad valorem tax may be instituted against said Board of Trustees or said nonprofit corporation subsequent to its effective date.

Also:

S. 418. To regulate the practice of Interior Design; to provide for the registration of qualified persons as professional Interior Designers; to create the Alabama State Board of Registration for Interior Designers; to provide for the appointment of its members; to fix the term of the members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish the Interior Designer Fund; and to provide for the enforcement of this act.

Also:

S. 446. To provide a salary increase by the state for the official court reporters, payable from the general fund of the state treasury; and to provide an effective date; and to limit pay raises for court reporters in the event that the pay raise bill for state employees passes the 1982 Regular Session of the Legislature; and to make the necessary appropriations from the general fund for such purposes of this act.

Also:

S. 477. To make an appropriation for the fiscal year ending September 30, 1983 in the amount of Six million five hundred thousand dollars (\$6,500,000) from the monies initially transferred into The Alabama Heritage Trust Fund created by an amendment to the Constitution of Alabama of 1901, proposed by Act No. 81-1178, 1981 Third Special Session, for the purpose of payment by the State of Alabama of expenses incurred prior to September 30, 1983 by the Alabama Housing Finance Authority in the exercise of the powers granted to it by law.

Also:

S. 514. To authorize the acquisition and pledging and securing of Letters of Credit in connection with the issuance of securities by public bodies in Alabama.

Also:

S. 519. Relating to DeKalb County; providing for the distribution of the share of in-lieu-of-taxes payments of the Tennessee Valley Authority and providing for an effective date.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill.

H. 796. Relating to Lamar County; to provide that 10% of all funds accruing to Lamar County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

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was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hilliard	McDonald	St. John
Britnell	Holmes	Miller	Smith
Cook	Keener	Mitchem	Taylor
Denton	Kirkland	Parsons	Vacca
Figures	Lemaster	Pearson	Weeks
Goodwin	Little	Proctor	White
Hall	Martin		

—25

Nays: —0

SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 768. To authorize any industrial development board, heretofore or hereafter organized under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, or Article 4 of Chapter 54 of Title 11 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, use, operate, lease and dispose of, certain facilities for the use of any such industrial development board and certain other organizations, associations and foundations.

And said Bill, H. B. 768, was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Goodwin	McDonald	Smith
Bailey	Gulledge	Miller	Taylor
Britnell	Harrison	Mitchem	Teague (B)
Cook	Holmes	Parsons	Weeks
deGraffenried	Lemaster	Pearson	White
Denton	Martin	Proctor	

—22

Nays: —0

The Bill:

H. 61. To amend Sections 11-42-21 and 11-42-22, Code of Alabama 1975, to eliminate the population requirements and thereby make the Sections applicable to all incorporated municipalities.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Robertson
Bailey	Higginbotham	Miller	Smith
Britnell	Holmes	Mitchem	Taylor (B)
Cook	Kirkland	Parsons	Vacca
Denton	Lemaster	Pearson	White
Goodwin	Little	Proctor	
Hall			

—24

Nays:

—0

The Bill:

H. 240. To amend Act No. 81-965, the FY 82 Education Appropriation Act, to move \$735,521 from capital outlay to general operating and maintenance purposes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith
Bailey	Hall	McDonald	Taylor
Britnell	Harrison	Miller	Teague (B)
Cook	Higginbotham	Mitchem	Teague (J)
deGraffenried	Holmes	Pearson	Weeks
Denton	Kirkland	Proctor	White
Goodwin	Lemaster		

—25

Nays:

—0

The Bill:

H. 305. To amend Section 41-16-51, Code of Alabama 1975, which exempts certain contracts from the requirements of the competitive bid law, so as to exempt contracts up for renewals entered into by municipalities for sanitation services.

was read a third time at length and passed.

Yeas 16; Nays 8.

Yeas:

Messrs.:	Hall	Mitchem	Taylor
Callahan	Higginbotham	Parsons	Teague (J)
Cook	Martin	St. John	Vacca
Goodwin	McDonald	Smith	Weeks
Gulledge			

—16

Nays:

Messrs.:	Denton	Holmes	Proctor
Bailey	Harrison	Little	Robertson
Britnell			

—8

The Bill:

H. 383. To prohibit the possession or sale of certain brass or steel teflon-coated handgun ammunition; to provide exemptions; and to prescribe penalties for violations.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Denton	Harrison	Holmes
Bailey	Gulledge	Higginbotham	Kirkland
Cook	Hall	Hilliard	Lemaster

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Little	Parsons	Smith	Vacca	
Martin	Proctor	Taylor	Weeks	
McDonald	Robertson	Teague (B)	White	
Miller	St. John	Teague (J)		—26
<i>Nays:</i>				—0

RECESS

At 7 o'clock P.M., Mr. St. John moved that the Senate take a recess until 8:30 P.M.

Mr. Parsons offered a substitute motion that the Senate take a recess until 9 o'clock P.M., which motion was adopted, and at 7:03 P.M., the Senate recessed until 9 o'clock this evening.

NIGHT SESSION

THIRTIETH LEGISLATIVE DAY

MONDAY, APRIL 26, 1982

The Senate reassembled in the Senate Chamber, Lieutenant Governor McMillan presiding.

ROLL CALL

Present:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Lemaster	Robertson	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 44. To provide that all teachers, administrative supervisory personnel, full time support employees, and adult school bus drivers at the Kate Duncan Smith High School in Grant, Alabama, shall, if they desire coverage, receive the hospital medical insurance supplement provided by the state for other such employees in the public schools of Alabama.

Also:

S. 215. Relating to banks and other financial institutions engaging in consumer finance, specifically repealing Section 5-19-2, relating to the Consumer Protection Council, and Sections 5-19-27 and 5-19-28 of the Code of Alabama, 1975, relating to requirements for certain unlicensed persons making credit sales; and amending Section 5-19-30 of the Code of Alabama, 1975, so as to eliminate requirements for certain unlicensed persons making credit sales, and penalties for violations relating to the payment of fees and notification provisions of the repealed sections.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Langford, Grouby, Wyatt, Dixon, McKee and Holmes:

H. J. R. 404. MOURNING THE DEATH OF MRS. MILDRED SIMMS WILLIAMS OF MONTGOMERY, ALABAMA.

Also:

By Rep. Williams:

H. J. R. 405. COMMENDING MR. CHARLIE GATLIN OF DALEVILLE, ALABAMA, FOR OUTSTANDING ACADEMIC ACHIEVEMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teague (B), the Rules were suspended and the Resolutions, H. J. R.'s 404 and 405, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 502. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges and fees in court costs in Pike County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Weeks, the Senate non-concurred in the following House amendment to the Bill, S. B. 502, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. 502

Amend S. 502 as follows:

On page 2, Section 2, on line 7, after the word "legislature" add the following:

and as provided by this section.

On page 2, Section 2, after the period, add the following new language:

This Act shall become effective upon the adoption of this amendment to the Constitution of Alabama of 1901; provided, however, that the provisions of this amendment shall not become operative in Pike County unless approved by a majority of the qualified electors of the county who vote thereon at a referendum election held for such purpose upon call of the county commission. Such election may be called no more frequently than every two years; provided further, that if this amendment is approved by a majority of the qualified electors of Pike County who vote thereon upon its submission, such election shall constitute a referendum election held for such purpose and no further election need be called.

and requested a Committee on Conference.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Parsons	
Bailey	Hall	Little	Pearson	
Britnell	Higginbotham	Martin	Proctor	
Callahan	Holmes	McDonald	Smith	
Cook	Keener	Miller	Taylor	
Denton	Kirkland	Mitchem	Teague (J)	
Figures				—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Higginbotham, Weeks, and Teague (J).

RESOLUTION

Mr. Robertson offered the following Senate Joint Resolution, to-wit:

S. J. R. 291. CONGRATULATING THE ATLANTA BRAVES.

WHEREAS, the Atlanta Braves made modern major league baseball history on Tuesday, April 20, 1982, with a 4-2 victory over the Cincinnati Reds, making it twelve in a row to break the record for the most consecutive wins at the start of a season; and

WHEREAS, to add icing to the cake, the Braves then racked up another win to push the record up to 13-0 for a season opening; and

WHEREAS, the State of Alabama joins with their sister State of Georgia in rejoicing with the Braves in this phenomenal achievement, and in congratulating the Braves' owner, Ted Turner, and manager Joe Torre as well; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate the "Hot-lanta" Braves, Mr. Ted Turner and Joe Torre, and direct that they receive a copy of this resolution in declaration of our pride in their accomplishment and our sincere best wishes for the finest season ever and the pennant at the end of the rainbow.

On motion of Mr. Robertson, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Biddle:

H. J. R. 399. COMMENDING JOSEPH F. VOLKER, CHANCELLOR, UNIVERSITY OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Miller, the Rules were suspended and the Resolution, H. J. R. 399, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Cosby, Bedsole, Lewis, Pegues, Harrison, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 402. PROPOSING THE ENDORSEMENT OF MRS. JEAN SULLIVAN OF SELMA, ALABAMA, TO BE THE FEDERAL CO-CHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION OF THE UNITED STATES OF AMERICA.

WHEREAS, there is a vacancy in the position of Federal Co-Chairman for the Appalachian Regional Commission; and

WHEREAS, all Appalachian State Governors have expressed confidence in the ability of Mrs. Jean Sullivan of Selma, Alabama, and add their endorsement to her appointment for this position; and

WHEREAS, it is extremely important that someone from the Appalachian Region be selected to head this important Commission; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That on behalf of the people of Alabama, we hereby urge the endorsement of Mrs. Jean Sullivan for the position of Federal Co-Chairman of the Appalachian Regional Commission by all elected officials of this state.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to Mrs. Jean Sullivan and to Alabama's Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwin, the Rules were suspended and the Resolution, H. J. R. 402, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Horn:

H. J. R. 409. COMMENDING THE WOMEN OF NEW PILGRIM BAPTIST CHURCH, BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pearson, the Rules were suspended and the Resolution, H. J. R. 409, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Boles, Cheatwood, Payne, Escott, Olive, Trammell, Moore, Seibels, Lewis, Waggoner, Bennett, Amari, Howard, Gafford and Biddle:

H. J. R. 401. COMMENDING REVEREND GEORGE HAYWOOD ON THE 101st ANNIVERSARY OF HIS BIRTH.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Miller, the Rules were suspended and the Resolution, H. J. R. 401, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Wyatt, Dixon, Grouby, Langford, McKee and Holmes:

H. J. R. 411. URGING THE COUNTY AND CITY GOVERNING BODIES TO EARMARK AT LEAST 50% OF THE RESULTING INCREASE OF THE PROCEEDS DERIVED FROM H. B. 165 OF THE 1982 REGULAR SESSION TO MONTGOMERY COUNTY BOARD OF EDUCATION.

WHEREAS, it is the desire and intention of the Montgomery County Delegation that at least half of the increase in the resulting proceeds of the levelized beer tax, H. B. 165, which passed the 1982 Regular Session be earmarked for the Montgomery County Board of Education; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge that the governing bodies of the County and City of Montgomery earmark at least 50% of the resulting increase in the proceeds they receive under the levelized beer tax (H. B. 165, passed at the 1982 Regular Session) for the Montgomery County Board of Education.

RESOLVED FURTHER, That if the said governing bodies fail to earmark and use said tax proceeds for Montgomery County Board of Education, then this legislature and this delegation will consider passing local legislation to require such earmarking.

RESOLVED FURTHER, That a copy of this resolution be sent to the presiding officer of each said governing body, to the Mayor of Montgomery and to the Superintendent of Montgomery County Schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teague (B), the Rules were suspended and the Resolution, H. J. R. 411, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 754. To establish a Public Defender Fund within the 24th Judicial Circuit and to provide funding for said Public Defender Fund.

was read a third time at length and passed.

Yeas 16; Nays 0.

Yeas:

Messrs.:	Harrison	McDonald	Taylor
Britnell	Higginbotham	Miller	Teague (B)
deGraffenried	Kirkland	Robertson	Weeks
Gulledge	Little	St. John	White
Hall			—16

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 61. To amend Sections 11-42-21 and 11-42-22, Code of Alabama 1975, to eliminate the population requirements and thereby make the Sections applicable to all incorporated municipalities.

Also:

H. 240. To amend Act No. 81-965, the FY 82 Education Appropriation Act, to move \$735,521 from capital outlay to general operating and maintenance purposes.

Also:

H. 305. To amend Section 41-16-51, Code of Alabama 1975, which exempts certain contracts from the requirements of the competitive bid law, so as to exempt contracts up for renewal entered into by municipalities for sanitation services.

Also:

H. 383. To prohibit the possession or sale of certain brass or steel teflon-coated handgun ammunition; to provide exemptions; and to prescribe penalties for violations.

Also:

H. 768. To authorize any industrial development board, heretofore or hereafter organized under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, or Article 4 of Chapter 54 of Title 11 of the Code of Alabama 1975, as amended, to sell and issue its bonds for, and to acquire, construct, enlarge, improve, replace, equip, maintain, use, operate, lease and dispose of, certain facilities for the use of any such industrial development board and certain other organizations, associations and foundations.

Also:

H. 796. Relating to Lamar County; to provide that 10% of all funds accruing to Lamar County or any municipality therein from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be transferred to the county education department to be used for additional classroom supplies and equipment and certain capital outlay purposes, and to provide for the method of distributing said money.

Also:

H. J. R. 420. COMMENDING THE HONORABLE ARNOLD F. WELLMAN, JR., STATE REPRESENTATIVE, CONNECTICUT GENERAL ASSEMBLY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 341. To amend the "Hazardous Waste Management Act of 1978", as amended, and as now appearing as Sections 22-30-1 through 22-30-24, Code of Alabama 1975, specifically amending Sections 22-30-12, 22-30-13, 22-30-17 and 22-30-19 of the Code, so as to correct typographical errors and to clarify the penalties section of the Act; to provide strict liability monetary sanctions for certain enumerated acts, to define "criminal negligence" under the act and to further provide for the application of the penalties section to the storage facilities, all of which are necessary to comply with federal law and the rules and regulations formulated by the United States Environmental Protection Agency for the continued approval and funding of Alabama's hazardous waste management program in lieu of federal administration; to allow substitution of proper shipping papers for the manifest to accompany bulk shipments by rail and water; to insure that hazardous waste shipped outside of the State of Alabama is transported to and disposed of in only those sites approved by either the United States Environmental Protection Agency or a state program approved by the United States Environmental Protection Agency; and to ensure that the State Board of Health and the Division charged with responsibility for recommending approval or disapproval of hazardous waste site permit applications have sufficient time to make a complete and thorough review of the permit application prior to any approval of such application, but limits the number of permits for commercial hazardous waste facilities and sites in any one county without legislative approval. and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Reps. Minus, Edwards and Biddle.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. White, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 341, the title of which is set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	Taylor
Cook	Kirkland	Pearson	Teague (B)
Goodwin	Lemaster	Proctor	Weeks
Gulledge	Little	St. John	White
Hall	McDonald	Smith	—18

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Messrs. Taylor, White, and St. John.

BILLS ON THIRD READING RESUMED

The Bill:

H. 241. To amend Section 11-50-393, Code of Alabama 1975, so as to authorize and increase in the fees payable to members of the board of directors; to provide for the election of a chairman of the board of directors; to provide an effective date.

was read a third time at length and passed.

Yeas 14; Nays 0.

Yeas:

Messrs.:	Gulledge	Kirkland	St. John	
Britnell	Hall	Lemaster	Weeks	
Cook	Harrison	Little	White	
Goodwin	Higginbotham	Smith		—14

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

H. J. R. 424. NAMING THE OVERPASS AT THE INTERSECTION OF GOVERNOR'S DRIVE AND THE MEMORIAL PARKWAY IN HUNTSVILLE, ALABAMA, "THE AMERICAN LEGION BRIDGE."

WHEREAS, the Legislature of Alabama wishes to acknowledge the long history of the American Legion; and

WHEREAS, regardless of its many involvements, the American Legion's main purpose has been the rehabilitation of veterans, a purpose that has been extended to each new group of veterans; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor of the American Legion, the overpass or bridge at the intersection of Governor's Drive and the Memorial Parkway in Huntsville, Alabama, is herewith given the name of "The American Legion Bridge."

BE IT FURTHER RESOLVED, That the Madison County American Legion shall erect and maintain the sign so designating the bridge, and that a copy of this resolution be forwarded to Mr. Rex Luna of Huntsville.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 424, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 60. To amend further §11-41-1, Code of Alabama, 1975, as amended, relating to the incorporation of municipalities so as to increase the population requirements for the incorporation of an unincorporated community.

was taken up.

Mr. Hall offered the following amendment to the Bill, H. B. 60, to-wit:

AMENDMENT TO H. B. 60

Amend House Bill No. 60 by inserting a period in place of the semicolon after the word "municipality" on line 33 of page 1 and eliminate all the language after the word "municipality" beginning with the word "provided" located on line 33 of page 1 through line 8 of page 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bills:

H. 780. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; and to suspend Sections 41-9-700 through 41-9-707, Code of Alabama 1975, during the operative period of this Act.

Also:

H. 782. Relating to Bullock County; to provide for the election of the chairman of the county commission.

Also:

H. 783. Relating to Bullock County; to provide further for the compensation of the employees in the office of the county tax collector.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 536. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Madison in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises, and providing for penalties.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Smith (M), Gregg and Hall.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 60

The Senate proceeded to further consideration of the Bill, H. B. 60. The question was on the amendment offered by Mr. Hall.

On motion of Mr. Hilliard, said amendment was laid on the table.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for an Extraordinary Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 221. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Naramore, Mitchell and Dixon.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 341. Regulating further license plates to be used for motor vehicles; providing for distinctive license plates for vehicles owned by certain fire fighters.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Roberts, Seibels and Rains.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 60

The Senate proceeded to further consideration of the Bill, H. B. 60.

And said Bill, H. B. 60, was read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Goodwin	Little	Smith
Britnell	Gulledge	Martin	Taylor
Callahan	Hall	Miller	Teague (J)
Cook	Holmes	Parsons	Vacca
deGraffenried	Kirkland	Robertson	Weeks
Figures	Lemaster	St. John	

—22

Nay: Mr. Mitchem.

—1

FURTHER CONSIDERATION OF H. B. 246

The Senate proceeded to further consideration of the Bill, H. B. 246, as amended. The question was on the motion to reconsider the vote by which the Bill, H. B. 246, was passed.

On motion of Mr. Hall, the motion to reconsider was laid on the table.

BILLS ON THIRD READING RESUMED

The Bill:

H. 813. To amend Section 22-19-60 of the Code of Alabama 1975, relating to anatomical gifts by holders of drivers' licenses or nondriver identification cards, so as to require that the specific gift be indicated on the driver's license or nondriver identification card of the donor.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Robertson
Britnell	Higginbotham	Martin	St. John
deGraffenried	Holmes	Miller	Teague (B)
Denton	Kirkland	Mitchem	Vacca
Goodwin	Lemaster	Parsons	Weeks

—19

Nays: —0

The Bill:

H. 133. To amend Section 21-7-4, Code of Alabama 1975, relating to the right of blind persons to be accompanied by a guide dog, so as to extend said right to persons using a hearing dog.

was read a third time at length and passed.

Yeas 14; Nays 0.

Yeas:

Messrs.:	Goodwin	Holmes	Teague (B)
Bailey	Gulledge	Lemaster	Vacca
deGraffenried	Hall	Little	Weeks
Denton	Harrison	Taylor	

—14

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

The Bill:

H. 204. To make an appropriation from the state general fund for the relief of Linda Roberts of Dallas County who was gravely injured by two state prisoners who had escaped after being incarcerated in a county jail facility.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	deGraffenried	Lemaster	Smith	
Bailey	Denton	Miller	Taylor	
Britnell	Goodwin	Parsons	Vacca	
Callahan	Gulledge	Robertson	Weeks	
Cook	Kirkland	St. John		—18

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 2. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools and to provide penalties for failure to report said incidents.

Also:

S. 8. To make a supplemental appropriation to the State Board of Physical Therapy from the Physician Therapist Fund for the fiscal year ending September 30, 1982.

Also:

S. 36. To authorize any Class 2, 3, 4, 5, 6, 7 or 8 municipality within the state of Alabama to adopt the council-manager form of government; to provide for the calling and holding of elections to vote thereon; to provide for the election and terms of the first council; to provide for the election and term of the mayor; to define the legal status, form of government and powers of the municipality; to provide for subsequent elections of members of the council and the mayor, their number and their terms of office; to provide for the qualifications, powers and authority of the council, the mayor, city clerk and the treasurer; and to provide for the appointment and removal and to define the powers of the city manager; to set up the terms and effects of succession in government of any municipality adopting the council-manager form of government; to provide for the establishment and re-establishment of districts and to make various other provisions for such form of government of any such municipality; and to provide for the means of abandoning the council-manager form of government.

Also:

S. 44. To provide that all teachers, administrative supervisory personnel, full time support employees, and adult school bus drivers at the Kate Duncan Smith High School in Grant, Alabama, shall, if they desire coverage, receive the hospital medical insurance supplement provided by the state for other such employees in the public schools of Alabama.

Also:

S. 47. To provide for the creation and organization of the Alabama Department of Environmental Management; to provide for legislative intent and purposes of the Act; to provide for definitions; to provide for powers and functions of the Department; to provide for an Environmental Management

Commission within the Department; to provide for powers and functions of the Environmental Management Commission; to provide for appeals of administrative actions; to provide for adopting rules and regulations; to provide for the transfer of functions and personnel; to provide for the repeal of, exemption from or amendment of certain sections of the Code of Alabama 1975, as amended; to provide for the creation of the Alabama Department of Environmental Management Fund; to provide for the transfer of personnel, funds, functions, and equipment of the Coastal Area Board to the Office of State Planning and Federal Programs; to provide for the creation of a Coastal Resources Advisory Committee; to provide for the severability of provisions of the Act; and to provide for an effective date of this Act.

Also:

S. 62. To amend the Code of Alabama 1975, Section 36-29-5, to authorize and empower the state employees' insurance board to provide coverage for dental and eye care and treatment under the state employees' health insurance plan; to amend sections 36-29-9 and 36-29-10 to provide a method for direct payment of premiums for persons otherwise eligible who are precluded from having the cost of their coverage deducted from a monthly benefit payment.

Also:

S. 188. To amend Section 26-19-1, Code of Alabama 1975, relating to adoption of children, so as to permit single person adoptions, and to prohibit the Department of Pensions and Security except in certain instances from promulgating rules and requiring persons seeking to adopt children to cease employment.

Also:

S. 215. Relating to banks and other financial institutions engaging in consumer finance, specifically repealing Section 5-19-2, relating to the Consumer Protection Council, and Sections 5-19-27 and 5-19-28 of the Code of Alabama, 1975, relating to requirements for certain unlicensed persons making credit sales; and amending Section 5-19-30 of the Code of Alabama, 1975, so as to eliminate requirements for certain unlicensed persons making credit sales, and penalties for violations relating to the payment of fees and notification provisions of the repealed sections.

Also:

S. 236. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

Also:

S. 266. To amend Section 9-11-257, Code of Alabama 1975, relating to hunting within 100 yards of roads, highways, or railroads without permission from adjacent landowner, so as to increase penalties for the violation thereof.

Also:

S. 312. To make a conditional appropriation from the Alabama Special Educational Trust Fund to Madison, Dallas, Bullock and Macon County Boards of Education, and the Bessemer Board of Education for capital outlay purposes to be used to restore or replace the Central School and Jess Lanier High School and Dallas County High School at Plantersville which were destroyed by fire.

Also:

S. 337. To provide authority for the state board of education to establish a state-funded scholarship program for students in Alabama's institutions of higher education who are seeking teacher certification in secondary mathematics, chemistry, physics biology or general science through enrollment in a State Board of Education approved teacher education program; provide that the state board of education shall receive a letter of commitment from scholarship recipients; and provide for conditional termination of the scholarship program.

Also:

S. 517. Relating to School District One, Madison County; authorizing the county governing body of Madison County to levy, assess and collect a one percent sales and use tax in school District One, Madison County, in order to raise funds for the operation of the public schools in School District One, Madison County; providing certain limitations on the levying of the tax; providing for the enforcement and collection of the tax and distribution thereof; prescribing the purposes for which such proceeds may be used; providing for a referendum on said tax.

Also:

S. 468. Proposing an amendment to the Constitution of Alabama prescribing certain procedures that will allow proposed constitutional amendments which affect or apply to only one county to be adopted as an amendment to the constitution by a majority vote of the people of the county affected, provided that such proposed amendment has first been unanimously approved by at least a three-fifths vote of the elected members of each house and unanimously approved by a local constitutional amendment commission and then subsequently approved by a majority of the electors in the county affected.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 39. To provide for an additional judgeship for the Eleventh Judicial Circuit of Alabama; to provide for the election of the first judge to fill this judgeship at the next general election for state officers; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judge; to increase the number of circuit judges in the Eleventh Judicial Circuit to three by amending Section 12-17-20, Code of Alabama 1975; to provide that

the presiding circuit judge of the Eleventh Judicial Circuit shall be authorized to designate either a district court judge or a circuit court judge as the juvenile court judge, and to further provide that the presiding circuit judge shall have the authority to establish a Family Court Division of the Eleventh Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Denton, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 39, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 39

A BILL TO BE ENTITLED AN ACT

To provide for additional judgeships for certain judicial circuits of Alabama; to provide for the appointment of the first judge to fill said judgeships; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in certain judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide that the presiding circuit judge of certain judicial circuits shall be authorized to designate either a district court judge or a circuit court judge as the juvenile court judge, and to further provide that the presiding circuit judge shall have the authority to establish a Family Court Division in certain judicial circuits.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created one additional circuit judgeship for each of the following judicial circuits: 11th, 12th, 13th, 15th, 27th, 28th and 32nd. There is hereby created three additional judgeships for the 10th Judicial Circuit. The existing judgeships of said circuits shall continue to be designated in their present manner and the additional judgeship shall be properly numbered. The first judge of each additional judgeship created by this Act shall be appointed under the provisions of Section 7 of this Act.

Section 2. The judge of said new circuit judgeships shall have and exercise all of the jurisdiction, powers, rights and authority, and possess all of the qualifications, perform all of the duties and be subject to all of the pains, obligations and penalties that other circuit judges may exercise, perform or be subject to.

Section 3. The additional circuit judges provided for in this Act shall receive the same salary and supplements, payable in the same manner, as the other circuit court judges of their respective judicial circuit.

Section 4. Section 12-17-20, Code of Alabama 1975, is hereby amended to read as follows:

"§ 12-17-20. (a) Except as otherwise provided in this section, each judicial circuit of the state shall have one resident circuit judge.

"(b) In the following judicial circuits, there shall be the number of resident circuit judges listed below:

"(1) There shall be two circuit judges in the first judicial circuit. The judge occupying judgeship No. 1 shall be the presiding judge.

"(2) There shall be two circuit judges in the fourth judicial circuit.

"(3) There shall be three circuit judges in the fifth judicial circuit.

"(4) There shall be five circuit judges in the sixth judicial circuit.

"(5) There shall be four circuit judges in the seventh judicial circuit.

"(6) There shall be three circuit judges in the eighth judicial circuit.

"(7) There shall be two circuit judges in the ninth judicial circuit.

"(8) There shall be 20 23 circuit judges in the tenth judicial circuit.

"(9) There shall be two three circuit judges in the eleventh judicial circuit.

"(10) There shall be two three circuit judges in the twelfth judicial circuit.

"(11) There shall be nine ten circuit judges in the thirteenth judicial circuit.

"(12) There shall be three circuit judges in the fourteenth judicial circuit.

"(13) There shall be six seven circuit judges in the fifteenth judicial circuit. At least two judges shall be assigned to the criminal division of said circuit, and one or more judges shall be assigned to the civil division, in the discretion of the presiding judge.

"(14) There shall be four circuit judges in the sixteenth judicial circuit.

"(15) There shall be three circuit judges in the eighteenth judicial circuit.

"(16) There shall be two circuit judges in the nineteenth judicial circuit.

"(17) There shall be three circuit judges in the twentieth judicial circuit.

"(18) There shall be two circuit judges in the twenty-second judicial circuit.

"(19) There shall be six circuit judges in the twenty-third judicial circuit.

"(20) There shall be two circuit judges in the twenty-fifth judicial circuit.

"(21) There shall be two circuit judges in the twenty-sixth judicial circuit.

"(22) There shall be two three circuit judges in the twenty-seventh judicial circuit.

"(23) There shall be two three circuit judges in the twenty-eighth judicial circuit.

"(24) There shall be two circuit judges in the twenty-ninth judicial circuit.

"(25) There shall be two circuit judges in the thirtieth judicial circuit.

"(26) There shall be two circuit judges in the thirty-first judicial circuit.

"(27) There shall be two three circuit judges in the thirty-second judicial circuit.

"(28) There shall be two circuit judges in the thirty-third judicial circuit.

"(29) There shall be two circuit judges in the thirty-seventh judicial circuit.

"(30) There shall be two circuit judges in the thirty-eighth judicial circuit."

Section 5. The presiding circuit judge of each judicial circuit shall be selected as otherwise provided by law or court rule.

Section 6. The presiding circuit judge of the Eleventh, Twelfth, and Twenty-seventh Judicial Circuits shall be authorized and empowered to designate either a district judge or a circuit judge of said judicial circuits as the juvenile court judge of each respective circuit. Said designation shall be in writing and shall be made only after advising with the circuit and district judges. The presiding circuit judge shall further have the power and authority to establish, by means of a written order, a Family Court Division of the Eleventh and Twenty-seventh Judicial Circuits and to assign one of the circuit or district judges to preside over said division. In the event a district court judge is assigned to preside over the Family Court Division as provided herein, such judge shall have the same powers and authority as a circuit court judge to handle all cases involving domestic relations, divorce, annulments of marriage, custody and support of children, granting and enforcement of alimony and all other domestic and marital matters over which the circuit court has jurisdiction and such district judge shall serve as an ex officio circuit judge when handling such cases.

Section 7. There is hereby appropriated a sum not to exceed \$1,042,855 to the Unified Judicial System for fiscal year 1982-83, to be conditioned upon the condition of the general fund and upon approval of the Governor for the support and maintenance of the additional judgeships. If the Governor, at any time during fiscal year 1982-83 releases this conditional appropriation, he shall make appointments filling said positions as provided by law.

Section 8. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. Provided, however, the provisions of Section 4 of this Act shall become effective as to a respective judicial circuit only upon the date the Governor authorizes the appropriation provided in Section 7 to said judicial circuit.

HOUSE AMENDMENT TO S. B. 39

Amend Senate Bill 39, Section 4, page 2, line 33, after the word "be" by striking two and inserting in lieu thereof four.

Further amend the bill, page 3, immediately following line 28, by inserting a new item (15) and renumbering the remaining items accordingly. New Item (15) to read as follows:

(15) There shall be two circuit judges in the seventeenth judicial circuit.

Further amend the bill, page 5, line 18, after the words "not to exceed" by striking \$1,042,855 and inserting in lieu thereof \$1,398,373.

Yeas 16; Nays 1.

Yeas:

Messrs.:	Hall	Lemaster	Taylor	
Britnell	Harrison	Parsons	Teague (B)	
Cook	Holmes	St. John	Vacca	
Denton	Kirkland	Smith	Weeks	
Gulledge				—16

Nay: Mr. Little.

—1

BILLS ON THIRD READING RESUMED

The Bill:

H. 41. To amend Act No. 80-691, H. 811, 1980 Regular Session (Acts of Alabama 1980, p.), which Act creates the Alabama Toll Road, Bridge and Tunnel Authority, defines its powers and duties and authorizes the issuance of revenue bonds, so as to remove certain maximum rates of annual interest such bonds shall bear, thereby authorizing the Authority to sell such bonds in such a manner and for such a price as it may determine to be in the best interest of the Authority.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	deGraffenried	Holmes	St. John	
Bailey	Denton	Kirkland	Smith	
Britnell	Gulledge	Lemaster	Teague (B)	
Callahan	Hall	Miller	Vacca	
Cook	Harrison	Parsons	Weeks	
				—19

Nays:

—0

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL 132

We, the Committee on Conference appointed to reconcile the differences of the two houses concerning Senate Bill 132, have met in conference and have agreed to accept the attached substitute.

BILL SMITH,

ALBERT McDONALD,

HINTON MITCHEM,

Conferees on the part of the Senate.

GERALD DIAL,

LEIGH PEGUES,

CHARLES WHATLEY,

Conferees on the part of the House.

April 26, 1982

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 132

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. It is declared that pursuant to the Alabama Sunset Law, Sections 41-20-1 through 41-20-16, Code of Alabama 1975, as amended, the Sunset Committee entered upon its duties, held public hearings, received testimony from the public and all interested parties relating to the continued existence and functioning of the Plumbers Examining Board, and voted to recommend the continuance of the board created and functioning pursuant to Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), with the additional recommendations for statutory changes of the board as set out in Section 4 hereof.

Section 2. The legislature concurs in the recommendation of the Sunset Committee provided in Section 1 of this act.

Section 3. The existence and functioning of the Plumbers Examining Board, created and functioning pursuant to Act No. 529, H. 977, 1949 Regular Session, (Acts 1949, p. 827) are hereby continued.

Section 4. The title and Section 1 of Act No. 529, H. 977, 1949 Regular Session, (Acts 1949, p. 827) are hereby amended to read as follows:

"An Act To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census than 100,000 or more according to the 1940 federal decennial census, and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in the State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; or provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this act.

"Section 1. DEFINITIONS AND SCOPE. This Act shall apply only in counties of this State having a population of not less than 100,000 or more 140,000 according to the last or any subsequent Federal census according to the 1940 federal decennial census. 'Plumbing,' as used in this Act, is the

installation, repair or replacement of pipes, fixtures, or other apparatus necessary either for supplying water or for removing liquid or waterborne waste. The term is also used to denote installed fixtures, drainage, vents, and water distribution systems. A 'master plumber,' within the meaning and for the purpose of this Act, shall be held to mean and to include any person, firm or corporation engaged in or proposing to engage in the business of contracting to do or superintending the installation of plumbing, either or both, but if such applicant for registration be an individual, he must either qualify himself to be a licensed master plumber or must continually keep in his active employ a duly registered and licensed master plumber, and, if such licensee be a firm or corporation, at least one active member of such firm or corporation, must be a duly registered master plumber, actively, continuously connected with the conduct of said business.

"A 'journeyman plumber' within the meaning of this Act is any person, other than a master plumber, who engages in or works at the actual installation, alteration, repair and renovation of plumbing and who has successfully fulfilled the examination and requirements of the board."

Section 5. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Smith, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 132. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

Yeas 17; Nays 1.

Yeas:

Messrs.:	deGraffenried	Kirkland	Parsons
Bailey	Denton	Lemaster	Smith
Britnell	Gulledge	Miller	Taylor
Callahan	Hall	Mitchem	Vacca
Cook	Holmes		

—17

Nay: Mr. Harrison.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 203. MOURNING THE DEATH OF MR. MONROE LEE ADAMS OF TUSCALOOSA COUNTY, ALABAMA.

Also:

S. J. R. 278. COMMENDING MR. J. T. COLLINS OF ATHENS, LIMESTONE COUNTY, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

JOHN W. PEMBERTON,
Clerk.

REPORT OF CONFERENCE COMMITTEE

SENATE BILL 341

We, the Committee of Conference, appointed to reconcile the differences of the two houses concerning Senate Bill 341 have met in conference and have agreed to accept the following amendment.

AMENDMENT TO S. B. 341

Amend Senate Bill 341, on page 2, line 38 by deleting the figure \$5.00 and inserting in lieu thereof the figure \$3.00

TOMMY ED ROBERTS,
GEORGE G. SEIBELS, JR.,
T. EUCLID RATHS,

Conferees on the part of the House.

JAMES LEMASTER,
CHARLES B. MARTIN,
ROBERT I. GULLEDGE,

Conferees on the part of the Senate.

CONFERENCE REPORT

On motion of Mr. Lemaster, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 341. Regulating further license plates to be used for motor vehicles: providing for distinctive license plates for vehicles owned by certain fire fighters.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Denton	Miller	Smith
Bailey	Gulledge	Mitchem	Taylor
Britnell	Hall	Parsons	Teague (B)
Callahan	Holmes	Proctor	Vacca
Cook	Kirkland	Robertson	Weeks
deGraffenried	Lemaster	St. John	—22

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Gafford:

H. J. R. 386. RETURNING H. J. R. 165, 1982 REGULAR SESSION, TO THE SECRETARY OF STATE FOR CUSTODY AND ASSIGNMENT OF ACT NUMBER.

WHEREAS, the Alabama Legislature enacted H. J. R. 165, by passage in the Alabama House of Representatives on the 20th legislative day, March 23, 1982, and adoption in the Alabama Senate on the 26th legislative day, April 8, 1982, and now finds it in its possession; and

WHEREAS, said H. J. R. 165 resets the election date for Act No. 81-889, S. 32 of the First Special Session 1981, and rescinds the date therefor for the proposed constitutional amendment on budgetary matters; and

WHEREAS, the said H. J. R. 165 stated in pertinent part that:

"BE IT FURTHER RESOLVED, That in accordance with Section 125 of the Constitution of 1901, this resolution relating to a proposed constitutional amendment and the election thereon, does not require the signature of the Governor and the original of same shall not be sent to him"; and

WHEREAS, any purported executive veto of any order, vote or resolution on questions of, inter alia, "the bringing on of elections by the two houses and amending this Constitution" can be only a nullity and is without the constitutional authority of the Governor; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do, in accordance with Sections 125, 284 and 287, Constitution of Alabama 1901, return H. J. R. 165, 1982 Regular Session, to the Secretary of State and hereby direct that he assign an Act number to said H. J. R. 165, abide by the requirements prescribed therein and keep such document which relates to amending the Constitution and election date called therefor within the exclusive possession of his official capacity, so that the ballot shall be prepared and the date proclaimed as designated in H. J. R. 165, 1982 Regular Session.

BE IT FURTHER RESOLVED, That we do direct the Clerk of the House to cause delivery forthwith directly to the Secretary of State and that no copies of this resolution shall be sent to the Governor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDonald, the Rules were suspended and the Resolution, H. J. R. 386, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Parsons, further consideration of the Bill, H. B. 325, was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 780. To create the Alabama Indian Affairs Commission; to prescribe the powers, duties and authority of the Commission, and to provide for the selection, term, qualifications, and compensation of the members thereof; and to suspend Sections 41-9-700 through 41-9-707, Code of Alabama 1975, during the operative period of this Act.

Also:

H. 782. Relating to Bullock County; to provide for the election of the chairman of the county commission.

Also:

H. 783. Relating to Bullock County; to provide further for the compensation of the employees in the office of the county tax collector.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 745. To amend Section 41-9-96, Code of Alabama 1975, which provides for the permit fees and taxation of boxing and wrestling matches, so as to alter the gross receipts tax on such matches.

was taken up.

Mr. Parsons offered the following substitute for the Bill, H. B. 745, to-wit:

SUBSTITUTE FOR H. B. 745

A BILL TO BE ENTITLED AN ACT

To amend Section 41-9-96, Code of Alabama 1975, which provides for the permit fees and taxation of boxing and wrestling matches, so as to eliminate the gross receipts tax on such matches.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 41-9-96, Code of Alabama 1975, is hereby amended to read as follows:

"§ 41-9-96.

"(a) The commissioner of the revenue department, hereinafter called 'commissioner,' shall have full power and authority and it shall be his duty, to collect:

"(1) A fee of \$1.00 for every permit or license to hold a boxing, sparring or wrestling match or exhibition;

"(2) Seventeen and one-half percent of the gross receipts from admissions to every boxing, sparring or wrestling match or exhibition plus 10 percent of the gross price chargeable for the sale, lease or other exploitation of broadcasting, television and motion picture rights of such matches or exhibitions;

"(3)(2) Ten percent of the gross admission charges to a club, theatre or other place where a televised showing of a boxing, sparring or wrestling match or exhibition which is taking place in another area or place may be viewed by means of closed circuit television, and, for the purposes of paying and collecting this tax, any person, firm, association or corporation which charges or collects admission fees to view such televised matches or exhibitions shall be subject to the provisions of this section relative to the payment of licenses,

"(4)(2) A reasonable fee, to be fixed by the commissioner, not to exceed \$500.00 for each annual license or permit issued to a promoter;

"(5)(3) One hundred and fifty dollars for each annual license or permit issued to a matchmaker;

"(6)(4) Twenty dollars for each annual license or permit issued to a wrestler, manager or boxer; and

"(7)(5) Five dollars for each annual license or permit issued to a referee, judge, ticket seller, announcer, trainer, second, medical examiner, ticket taker, director or timekeeper.

"(b) Nothing in this section shall be construed as permitting, authorizing or enjoining the commissioner, or his authorized agent, to collect any license, permit fee or tax for any amateur boxing, sparring or wrestling matches or exhibitions held under the auspices of educational institutions when the proceeds of such are to be used to foster, aid or abet programs of education in the state of Alabama, or when the same are held under the auspices, rules and regulations of any national amateur athletic association or union, but no exemption from license, permit fee, tax or charges shall be granted to any person, group of persons or organization for such amateur boxing, sparring or wrestling matches or exhibitions when the proceeds or any part thereof are for personal or private gain.

"(e) The commissioner, or his authorized agent, shall collect from all patriotic organizations chartered by authority of a special act of the congress of the United States or local units thereof, which have been in existence and held meetings at regular intervals for one year immediately preceding the issuance of the permit, to whom a license or permit is issued, 10 percent of the gross receipts of every boxing, sparring or wrestling match conducted or sponsored by such an organization, in lieu of the 17 ½ percent provided for in subdivision (2) of subsection (a) of this section.

"(c) After first paying all operating expenses incurred in the collection of such fees, licenses and taxes, and all operational expenses of the state athletic commission, the commissioner shall distribute, on or before January 15 of each year, all proceeds and moneys received therefrom as follows:

"(1) One-half to the state general fund; and

"(2) One-half to the American Legion, department of Alabama, for use in their programs in service to the people of the state of Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

REGULAR SESSION
30th Day

1801

Yeas 17; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Smith
Callahan	Higginbotham	Miller	Taylor
Cook	Holmes	Pearson	Vacca
deGraffenried	Kirkland	St. John	Weeks
Denton	Lemaster		

—17

Nays: —0

And said Bill, H. B. 745, as thus amended by the substitute, was read a third time at length and passed.

Yeas 14; Nays 0.

Yeas:

Messrs.:	Denton	Kirkland	Teague (B)
Callahan	Gulledge	Miller	Teague (J)
Cook	Harrison	Parsons	Weeks
deGraffenried	Holmes	Smith	

—14

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 379. To amend section 11-50-345, Code of Alabama 1975 so as to remove the maximum interest rate of ten (10%) percent per annum on the bonds authorized in that section to be issued by a board of water and sewer commissioners created under the provision of article 10, chapter 50, Title 11, Code of Alabama 1975 and otherwise to exempt such bonds from State usury laws, including without limitation, Title 8, Chapter 8, Code of Alabama 1975, or any subsequent statute of similar import.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mitchem, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 379, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 379

A BILL
TO BE ENTITLED
AN ACT

To amend § 8-8-7 of the Code of Alabama 1975 in order to exempt from all laws governing usury any bonds, notes, warrants, other evidences of indebtedness or securities issued by the State of Alabama or any department,

agency or instrumentality thereof or by any not-for-profit public or private corporation and by any board of water and sewer commissioners created under the provision of Article 10, chapter 50, Title 11, Code of Alabama 1975 and authorized to issue bonds under Section 11-50-345, Code of Alabama 1975 at any time created for the purpose of acting as an instrumentality of the State of Alabama or otherwise acting in the public interest.

Be It Enacted by the Legislature of Alabama:

Section 1. § 8-8-7 of the Code of Alabama 1975 is hereby amended to read as follows:

"Any bonds, notes, warrants, other evidences of indebtedness or securities issued by the State of Alabama or any department, agency or instrumentality thereof, by any not-for-profit public or private corporation at any time organized or created pursuant to act of the Legislature or executive order of the Governor for the purpose of acting as an instrumentality of the State of Alabama or otherwise acting in the public interest and by any board of water and sewer commissioners created under the provisions of Article 10, chapter 50, Title 11, Code of Alabama 1975 and authorized to issue bonds under Section 11-50-345, Code of Alabama 1975, by any municipality, by any county, by any public corporation heretofore or hereafter organized or created in the State of Alabama pursuant to authorization, determination, finding or other action of any municipality or municipalities or county or counties or the governing body of any one or more thereof, or by any city or county board of education, are hereby exempted from all laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of this chapter."

Section 2. The provisions of this act are severable. If any provision of this act is declared invalid or unconstitutional, such declaration shall not affect any other provision hereof.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. The provisions of this act shall apply to all bonds, notes, warrants, other evidences of indebtedness and securities issued and delivered to the purchasers thereof subsequent to the effective date of this act by any issuer made subject to the provisions of § 8-8-7 of the Code of Alabama 1975 by this act, even though such bonds, notes, warrants, other evidences of indebtedness and securities were authorized by the issuer thereof prior to such effective date.

Yeas 17; Nays 0.

Yeas:

Messrs.:	Hall	Mitchem	St. John
Bailey	Higginbotham	Parsons	Taylor
Cook	Holmes	Pearson	Vacca
deGraffenried	Kirkland	Robertson	Weeks
Denton	Lemaster		

—17

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 528. To prohibit certain insurance companies from denying certain coverage because a person has sickle-cell anemia.

REGULAR SESSION
30th Day

1803

was read a third time at length and passed.

Yeas 17; Nays 0.

Yeas:

Messrs.:	Harrison	Martin	Taylor
Callahan	Hilliard	Parsons	Teague (J)
deGraffenried	Holmes	Pearson	Weeks
Figures	Kirkland	Smith	White
Hall	Lemaster		

—17

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 86. To amend Section 36-26-5, Code of Alabama 1975, relating to the state personnel board, so as to change the composition of said board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Parsons, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 86, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 86

Amend Senate Bill 86 on page 2, line 12, by deleting the figure "\$75.00" and inserting in lieu thereof the figure:

\$50.00

Further amend Senate Bill 86 on page 2, line 14, by deleting the figure "\$1,800.00" and inserting in lieu thereof the figure:

\$1,200.00

Yeas 18; Nays 1.

Yeas:

Messrs.:	Gulledge	Little	Smith
Callahan	Harrison	Martin	Taylor
Cook	Holmes	Miller	Teague (B)
deGraffenried	Kirkland	Parsons	Weeks
Denton	Lemaster	Pearson	

—18

Nay: Mr. Higginbotham. —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 112. To create a board of Heating and Air Conditioning Contractors; to provide definitions, to express the purpose; to provide for the composition, terms, duties, powers, compensation and other matters of the board; to transfer money, equipment and property from the board created by Sections 34-31-1 through 34-31-17, Code of Alabama 1975, to the board herein created; to provide for the oath of office of board meetings; to provide business procedures and meetings of the board; to provide for a certification process for heating and air conditioning installers; to require service and repair contractors to register annually with the board; to authorize the charging of certifying and registration fees by the board and penalties for late payment of said fees; to provide for renewal certificates; to provide for an examination by the board of applicants and to provide certain exemptions from testing; to authorize the board to require bonding under certain circumstances of its certified contractors; to provide examination criteria; to provide penalties for violations of this act; to require compliance with the state administrative procedures act; and to expressly repeal Sections 34-31-1 through 34-31-17, Code of Alabama 1975.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 10. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Taylor
Callahan	Higginbotham	Miller	Teague (B)
deGraffenried	Holmes	Mitchem	Teague (J)
Gulledge	Kirkland	Parsons	Vacca
Hall	Lemaster	Robertson	Weeks

—19

Nays:

—0

The Bill:

H. 320. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

was read a third time at length and passed.

REGULAR SESSION
30th Day

1805

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harrison	Little	Taylor
Bailey	Higginbotham	Martin	Teague (B)
Callahan	Hilliard	Miller	Teague (J)
Cook	Holmes	Mitchem	Vacca
Gulledge	Kirkland	Smith	Weeks
Hall	Lemaster		

—21

Nays:

—0

RESOLUTION

Mr. Weeks offered the following Senate Joint Resolution, to-wit:

S. J. R. 292. DESIGNATING H. B. 320 AND S. B. 236, OF THE 1982 REGULAR SESSION, "THE REED-MARTIN BILLS".

WHEREAS, Representative Thomas Reed of Macon County and Senator Charles Martin of Morgan County worked diligently to promote and pass S. B. 236 and H. B. 320 relating to the board of registrars; and

WHEREAS, they realize the valuable time and service that the members of the board of registrars of the State of Alabama served; and

WHEREAS, the members of the board of registrars spend many hours working to encourage the people of Alabama to register and vote; and

WHEREAS, many times the expenses incurred must come out of their pockets; and

WHEREAS, Representative Reed and Senator Martin realize the vital services monetarily and remuneratively spent; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 320 and S. B. 236 of the 1982 Regular Session, which has passed both houses, be designated and known as the "Reed-Martin Bills."

On motion of Mr. Weeks, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 50. To amend further Sections 37-2-41, 37-4-23 and 37-4-24 of the Code of Alabama 1975, relating to inspection and supervision fees paid by transportation companies and utilities so as to provide further for the mode and method of paying such fees and charges; to provide further for the recovery of delinquent fees and for collection of sums due.

was taken up.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 246. To exempt from the requirements of the Alabama Child Labor Act, Chapter 8, Title 25, Code of Alabama 1975, time and hour restrictions for children under 16 and the requirement for securing employment and age certificates by persons under 17 who are employed as actors or performers in a motion picture approved and coordinated by the Alabama Film Commission in conjunction with and under the jurisdiction and supervision of the Department of Industrial Relations and to set forth protective employment conditions for such children under the age of 16.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 276. To amend Section 37-2-1, Code of Alabama 1975 relating to defining the term "transportation company."

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 60. To amend further § 11-41-1, Code of Alabama, 1975, as amended, relating to the incorporation of municipalities so as to increase the population requirements for the incorporation of an unincorporated community.

Also:

H. 133. To amend Section 21-7-4, Code of Alabama 1975, relating to the right of blind persons to be accompanied by a guide dog, so as to extend said right to persons using a hearing dog.

Also:

H. 204. To make an appropriation from the state general fund for the relief of Linda Roberts of Dallas County who was gravely injured by two state prisoners who had escaped after being incarcerated in a county jail facility.

Also:

H. 241. To amend Section 11-50-393, Code of Alabama 1975, so as to authorize and increase in the fees payable to members of the board of directors; to provide for the election of a chairman of the board of directors; to provide an effective date.

Also:

H. 754. To establish a Public Defender Fund within the 24th Judicial Circuit and to provide funding for said Public Defender Fund.

Also:

H. 813. To amend Section 22-19-60 of the Code of Alabama 1975, relating to anatomical gifts by holders of drivers' licenses or nondriver identification cards, so as to require that the specific gift be indicated on the driver's license or nondriver identification card of the donor.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 341. Regulating further license plates to be used for motor vehicles; providing for distinctive license plates for vehicles owned by certain fire fighters.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50.

Mr. White offered the following amendment to the Bill, H. B. 50, to-wit:

AMENDMENT TO H. B. 50

Amend H. 50 as follows:

On page 1 in the Title, line 27, delete the period after the word "due" and insert the following:

and to establish a select oversight committee with certain powers to oversee the collection of such fees and charges.

On page 7, line 6, after the period following the number 2, insert the following:

a.

On page 7, Section 2, line 17, after the word "effective" insert a new sub-section (b) to read as follows:

b. There is hereby created the Select Public Service Commission Oversight Committee to consist of three members appointed by the Governor, two members appointed by the Speaker of the House of Representatives and two members appointed by the Lieutenant Governor, respectively. Such members shall serve for the duration of the terms of their respective appointing authorities and any successors shall be appointed in like manner. A chairman shall be elected from among the membership at an organizational meeting to be held at the state capitol within ten (10) days after the effective date of this Act. Thereafter the commission shall meet on call of the chairman or upon request of five or more of the members. The commission shall adopt its own rules of procedure, except as hereinafter provided, and a majority of the members shall constitute a quorum for the purpose of transacting business. The commission shall approve and supervise the collection and expenditure of the supervision and inspection fees provided for in Section 1 of this Act and to assist in determining the extent of the need for such fees the commission shall be empowered to order audits and investigations by public or private firms. The commission shall have the authority to subpoena such persons, documents and things as shall be necessary to effectively assist such audits and investigations. If the commission's findings indicate a need for the additional supervision and inspection fees provided for in this Act, a simple resolution of the commission shall be necessary to effect such intent. Provided, however, that if the commission's findings indicate a need for greater or lesser fees than those prescribed in Section 1 of this Act, the commission shall likewise adopt a resolution effecting its recommendations as to such fees. The commission shall keep full and complete minutes in writing of its proceedings and the commission shall issue a written report on its findings no later than ninety days after the effective date of this Act. Each legislative member of the commission shall be entitled to his regular legislative compensation, per diem and travel expenses for each day he attends a meeting of the commission which shall be paid out of the public service commission trust fund in the state treasury in the usual manner. All other expenses of the commission shall likewise be paid from said fund including all costs of audits and investigations directed by the commission.

On page 7, line 18, delete Section 3 in its entirety and insert in lieu thereof the following:

Section 3. If any part of the Act is declared invalid or unconstitutional, then the entire Act shall be deemed invalid or unconstitutional.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 788. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

said Conference Report being in words and figures as follows:

CONFERENCE COMMITTEE REPORT

H. B. 788

We, the Committee of Conference appointed to reconcile the differences of the two Houses concerning House Bill 788, have met in conference and have agreed to the following:

We recommend that the senate recede from its amendment to the bill and the bill as passed by the House be agreed to by both Houses.

GERALD DIAL,

WALLACE SHOEMAKER,

RONALD G. JOHNSON,

Conferees on the part of the House.

DONALD HOLMES,

JOHN A. TEAGUE,

LISTER HILL PROCTOR,
Chairman.

Conferees on the part of the Senate.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Teague (J), the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 788, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Goodwin	Martin	St. John
Bailey	Gulledge	McDonald	Smith
Britnell	Hall	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (J)
Cook	Kirkland	Parsons	Weeks
Denton	Lemaster	Proctor	White
Figures	Little		

—25

Nays:

—0

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50. The question was on the amendment offered by Mr. White.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 399. COMMENDING JOSEPH F. VOLKER, CHANCELLOR, UNIVERSITY OF ALABAMA.

Also:

H. J. R. 401. COMMENDING REVEREND GEORGE HAYWOOD ON THE 101ST ANNIVERSARY OF HIS BIRTH.

Also:

H. J. R. 402. PROPOSING THE ENDORSEMENT OF MRS. JEAN SULLIVAN OF SELMA, ALABAMA, TO BE THE FEDERAL CO-CHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION OF THE UNITED STATES OF AMERICA.

Also:

H. J. R. 404. MOURNING THE DEATH OF MRS. MILDRED SIMMS WILLIAMS OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 405. COMMENDING MR. CHARLIE GATLIN OF DALEVILLE, ALABAMA, FOR OUTSTANDING ACADEMIC ACHIEVEMENT.

Also:

H. J. R. 409. COMMENDING THE WOMEN OF NEW PILGRIM BAPTIST CHURCH, BIRMINGHAM, ALABAMA.

Also:

H. J. R. 411. URGING THE COUNTY AND CITY GOVERNING BODIES TO EARMARK AT LEAST 50% OF THE RESULTING INCREASE OF THE PROCEEDS DERIVED FROM H. B. 165 OF THE 1982 REGULAR SESSION TO MONTGOMERY COUNTY BOARD OF EDUCATION.

Also:

H. J. R. 424. NAMING THE OVERPASS AT THE INTERSECTION OF GOVERNOR'S DRIVE AND THE MEMORIAL PARKWAY IN HUNTSVILLE, ALABAMA, "THE AMERICAN LEGION BRIDGE."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50. The question was on the amendment offered by Mr. White.

On motion of Mr. Denton, said amendment was laid on the table.

REGULAR SESSION
30th Day

1811

Yeas 15; Nays 14.

Yeas:

Messrs.:	Harrison	Little	Smith
Cook	Hilliard	Mitchem	Taylor
Denton	Holmes	Proctor	Teague (B)
Figures	Lemaster	Robertson	Teague (J)

—15

Nays:

Messrs.:	Goodwin	Kirkland	Vacca
Bailey	Hall	Martin	Weeks
Callahan	Higginbotham	Parsons	White
deGraffenried	Keener	St. John	

—14

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 387. To provide for a minimum salary for county commissioners and chairmen of county commissions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. White moved that the Senate concur in and adopt the following House amendment to the Bill, S. B. 387, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 387

On page 2, line 19, after the period insert the following language:

Nor shall such provisions apply unless approved by a resolution of the county governing body.

On motion of Mr. Robertson, further consideration of the House amendment to the Bill, S. B. 387, was postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 422. To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Callahan moved that the Senate concur in the following House amendment to the Bill, S. B. 422, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 422

A BILL
TO BE ENTITLED
AN ACT

To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 12-13-20, Code of Alabama, 1975, is hereby amended to read as follows:

"Section 12-13-20. (a) No probate judge who is on a salary and who serves as chairman of the county commission shall receive total compensation less than \$25,000 \$30,000 per year for serving as chairman and probate judge. This section in no way affects probate judges earning more than \$25,000 \$30,000 per year.

(b) No probate judge who is on a salary and who does not serve as chairman of the county commission shall receive total compensation less than \$22,500 \$27,500 per year. This section in no way affects those probate judges earning more than \$22,500 \$27,500 per year.

(c) Any necessary funds needed to ensure a probate judge shall receive a total compensation of \$25,000 \$30,000 per year or \$22,500 \$27,500 per year as the case may be, shall be paid out of the respective county's general fund.

(d) The provisions of this section shall not affect the compensation of probate judges of counties where said judges are compensated on the basis of the fee system."

Section 2. This act shall become effective October 1, 1982.

HOUSE AMENDMENT TO S. B. 422

In Section 1, after subsection (d) add the following language as a new subsection (e):

(e) The provisions of this section shall not apply unless approved by a resolution of the county governing body.

HOUSE AMENDMENT TO S. B. 422

Page 1, Section 12-13-20, Sec. b, line 34 after: year.

Add the following:

This minimum shall also apply to any assistant probate judge serving in a separate political subdivision.

Mr. Proctor offered a substitute motion that the Senate non-concur in said amendment and request a Committee on Conference.

Mr. Callahan moved that the motion to non-concur be laid on the table, which motion was lost.

REGULAR SESSION
30th Day

1813

Yeas 10; Nays 12.

Yeas:

Messrs.:	Gulledge	McDonald	Weeks	
Callahan	Holmes	Miller	White	
Goodwin	Martin	St. John		—10

Nays:

Messrs.:	Harrison	Mitchem	Smith	
Britnell	Hilliard	Parsons	Teague (B)	
Denton	Little	Proctor	Teague (J)	
Hall				—12

The question was then on the motion of Mr. Proctor, which was adopted, and the Senate non-concurred in the House amendment to the Bill, S. B. 422, and requested a Committee on Conference.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Higginbotham	Miller	St. John	
Callahan	Holmes	Mitchem	Teague (B)	
Cook	Kirkland	Parsons	Teague (J)	
Goodwin	Little	Proctor	Weeks	
Gulledge	McDonald	Robertson	White	
Hall				—20

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Teague (J), Callahan, and Parsons.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 10. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Also:

H. 41. To amend Act No. 80-691, H. 811, 1980 Regular Session (Acts of Alabama 1980, p.), which Act creates the Alabama Toll Road, Bridge and Tunnel Authority, defines its powers and duties and authorizes the issuance of revenue bonds, so as to remove certain maximum rates of annual interest such bonds shall bear, thereby authorizing the Authority to sell such bonds in such a manner and for such a price as it may determine to be in the best interest of the Authority.

Also:

H. 320. To amend section 17-4-153 of the Code of Alabama 1975 relating to the compensation for boards of registrars, so as to provide further for the compensation and expense allowance for said boards.

Also:

H. 528. To prohibit certain insurance companies from denying certain coverage because a person has sickle-cell anemia.

Also:

H. J. R. 386. RETURNING H. J. R. 165, 1982 REGULAR SESSION, TO THE SECRETARY OF STATE FOR CUSTODY AND ASSIGNMENT OF ACT NUMBER.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. B. 387

The Senate proceeded to further consideration of the Bill, S. B. 387. The question was on the motion of Mr. White that the Senate concur in the House amendment to the Bill, S. B. 387, which motion was adopted, and the Senate concurred in and adopted the House amendment to the Bill, S. B. 387.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Goodwin	Kirkland	Robertson
Bailey	Gulledge	Little	Taylor
Britnell	Hall	Martin	Teague (B)
Cook	Harrison	McDonald	Teague (J)
deGraffenried	Higginbotham	Miller	Weeks
Denton	Hilliard	Mitchem	White
Figures	Holmes	Proctor	—26

Nays:

—0

REPORT OF EXTRAORDINARY CONFERENCE COMMITTEE ON SENATE BILL 221

We, the Extraordinary Committee on Conference appointed to reconcile the differences of the two houses concerning Senate Bill 221, have met in conference and have agreed to accept the attached substitute.

T. D. "TED" LITTLE,
MAC PARSONS,
CHARLES BRITNELL,
Conferees on the part of the Senate.
LARRY DIXON,
ALVIS NARAMORE,
EARL MITCHELL,
Conferees on the part of the House.

EXTRAORDINARY CONFERENCE COMMITTEE SUBSTITUTE
FOR S. B. 221

A BILL
TO BE ENTITLED
AN ACT

To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 36-29-1 of the Code of Alabama 1975 is hereby amended to read as follows:

"§ 36-29-1.

"When used in this chapter, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

"(1) EMPLOYEE. A person who works full-time for the State of Alabama or for a county health department and who received his full compensation on a monthly basis through means of a state warrant drawn upon the state treasury or by check drawn by the treasurer of the Alabama State docks' department or by check drawn by the treasurer of the Alabama state agency for surplus property other than those employees covered by the federal Railroad Retirement Act. Such term shall also include those persons who shall retire from the service of the State of Alabama after September 2, 1965, and who, at the time of such retirement, met the criteria set out in this chapter and who, following such retirement, draw a monthly benefit from the employees' retirement system of Alabama; provided that full-time employees of the county health department in all counties having populations of not less than 300,000 nor more than 500,000 shall also be included in the definition of employee for the purpose of this chapter, and the health department of any such county is hereby authorized to pay the employer's share of any contributions to the retirement fund; provided further, that any district attorney or full-time employees in the district attorney's office, of any judicial circuit shall be included in the definition of employee for the purpose of this chapter, and the respective judicial circuits are hereby authorized to pay the employer's share of any contribution therefore and any person employed part-time by the State of Alabama on a wage and hourly basis, excluding fee compensations and other like arrangements, shall be included in the definition of employee as defined in this Chapter provided such person shall agree to have deducted from his hourly wage, as stipulated, a pro rata portion of the premium cost of a full-time state employee based on the percentage of time such person is employed by the State according to rules and regulations established by the State Employees' Insurance Board.

"(2) BOARD. The state employees' insurance board."

Section 2. This act shall become effective on the first day of the second month following its passage and approval by the Governor or upon its otherwise becoming a law.

EXTRAORDINARY CONFERENCE REPORT

On motion of Mr. Cook, the Senate concurred in and adopted the foregoing Report of the Extraordinary Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 221. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Hall	Little	Robertson
Callahan	Higginbotham	McDonald	Smith
Cook	Holmes	Miller	Teague (J)
Denton	Kirkland	Mitchem	Weeks
Goodwin	Lemaster	Proctor	White
Gulledge			

—20

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 788. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50.

On motion of Mr. Teague (J), further consideration of the Bill, H. B. 50, was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

H. 616. Proposing an amendment to the Constitution of Alabama authorizing the legislature, by resolution, to designate a suitable place for the meeting and transacting of business of the legislature in the event it becomes necessary or desirable to repair, renovate, restore, construct or reconstruct the Capitol.

was read a third time at length as required by the Constitution and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Callahan	Denton	Hall
Bailey	deGraffenried	Goodwin	Higginbotham

REGULAR SESSION
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1817

Holmes	McDonald	Proctor	Teague (J)
Keener	Miller	Robertson	Vacca
Kirkland	Mitchem	St. John	Weeks
Lemaster	Parsons	Smith	White
Little	Pearson	Teague (B)	—26

Nays: —0

The Bill:

H. 253. Relating to the eradication and control of swine diseases: to make an appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1983, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

was read a third time at length and passed.

Yeas 17; Nays 0.

Yeas:

Messrs.:	Hilliard	Miller	Teague (J)
Callahan	Holmes	Mitchem	Vacca
Denton	Lemaster	Smith	Weeks
Goodwin	Little	Taylor	White
Higginbotham	McDonald		—17

Nays: —0

The President and Presiding Officer of the Senate declared a quorum present but not voting.

The Bill:

H. 339. To amend Section 37-1-58, Code of Alabama 1975, which relates to the filing of annual return of business by utilities doing business in the State of Alabama so as to allow utilities the option of filing annual business reports on either a fiscal or calendar year basis.

was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Little	Taylor
Britnell	Higginbotham	McDonald	Teague (J)
Callahan	Hilliard	Miller	Vacca
deGraffenried	Holmes	Parsons	Weeks
Figures	Kirkland	Smith	White
Goodwin	Lemaster		—21

Nays: —0

The Bill:

H. 125. To amend Section 16-28-4 of the Code of Alabama 1975 providing for the minimum age at which a child may enter school so as to provide that a child who moves into this state having completed a mandated public kindergarten program in another state shall be admitted to school regardless of age.

was read a third time at length and passed

Yeas 23; Nays 0.

Yeas:

Messrs.:	Hilliard	Miller	Taylor	
Callahan	Holmes	Mitchem	Teague (B)	
Figures	Kirkland	Parsons	Teague (J)	
Goodwin	Lemaster	Robertson	Vacca	
Hall	Little	St. John	Weeks	
Higginbotham	McDonald	Smith	White	—23

Nays:

—0

The Bill:

H. 538. To amend Section 15-18-72, Code of Alabama 1975, as amended, relating to defendants ordered by the court to make restitution, so as to require payments be transmitted within a specified time.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Goodwin	Lemaster	Taylor	
Bailey	Gulledge	Little	Teague (B)	
Britnell	Hall	Miller	Vacca	
Callahan	Hilliard	Mitchem	Weeks	
deGraffenried	Holmes	St. John	White	
Figures	Kirkland	Smith		—22

Nays:

—0

RESOLUTION

Mr. Gulledge offered the following Senate Resolution, to-wit:

S. R. 293. COMMENDING THE FAIRHOPE HIGH SCHOOL MARCHING BAND UPON THEIR INVITATION TO THE APPLE BLOSSOM FESTIVAL.

Which was adopted.

BILLS ON THIRD READING RESUMED.

The Bill:

H. 609. To provide for and prescribe time limits in which proceeds derived from the sale of oil and gas production shall be paid to the person or persons legally entitled thereto and to further prescribe interest penalties for failure to meet the said limits.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Callahan	Figures	Higginbotham
Britnell	deGraffenried	Goodwin	Hilliard

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1819

Holmes	Mitchem	St. John	Vacca	
Kirkland	Pearson	Smith	Weeks	
Lemaster	Robertson	Taylor	White	
Little				—20
Nays:				—0

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50.

Mr. Weeks offered the following amendment to the Bill, H. B. 50, to-wit:

AMENDMENT TO H. B. 50

Amend H. 50 as follows:

On page 1 in the Title, line 27, delete the period after the word "due" and insert the following:

and to establish a select oversight committee with certain powers to oversee the collection of such fees and charges.

On page 7, line 6, after the period following the number 2, insert the following:

a.

On page 7, Section 2, line 17, after the word "effective" insert a new sub-section (b) to read as follows:

b. There is hereby created by the Select Public Service Commission Oversight Committee to consist of three members appointed by the Governor, two members appointed by the Speaker of the House of Representatives and two members appointed by the Lieutenant Governor, respectively. Such members shall serve for the duration of the terms of their respective appointing authorities and any successors shall be appointed in like manner. A chairman shall be elected from among the membership at an organizational meeting to be held at the state capitol within ten (10) days after the effective date of this Act. Thereafter the commission shall meet on call of the chairman or upon request of five or more of the members. The commission shall adopt its own rules of procedure, except as hereinafter provided, and a majority of the members shall constitute a quorum for the purpose of transacting business. The commission shall approve and supervise the collection and expenditure of the supervision and inspection fees provided for in Section 1 of this Act and to assist in determining the extent of the need for such fees the commission shall be empowered to order audits and investigations by public or private firms. The commission shall have the authority to subpoena such persons, documents and things and shall be necessary to effectively assist such audits and investigations. If the commission's findings indicate a need for the additional supervision and inspection fees provided for in this Act, a simple resolution of the commission shall be necessary to effect such intent. Provided, however, that if the commission's findings indicate a need for greater or lesser fees than those prescribed in Section 1 of this Act, the commission shall likewise adopt a resolution effecting its recommendations as to such fees. The commission shall keep full and complete minutes in writing of its proceedings and the commission shall issue a written report on its findings no later than eighty days after the effective date of this Act. Each

legislative member of the commission shall be entitled to his regular legislative compensation, per diem and travel expenses for each day he attends a meeting of the commission which shall be paid out of the public service commission trust fund in the state treasury in the usual manner. All other expenses of the commission shall likewise be paid from said fund including all costs of audits and investigations directed by the commission.

On page 7, line 18, delete Section 3 in its entirety and insert in lieu thereof the following:

Section 3. If any part of this Act is declared invalid or unconstitutional, then the entire Act shall be deemed invalid or unconstitutional.

Which was adopted.

Yeas 13; Nays 12.

Yeas:

Messrs.:	Higginbotham	Martin	Vacca	
Bailey	Keener	Miller	Weeks	
Callahan	Kirkland	St. John	White	
deGraffenried	Lemaster			—13

Nays:

Messrs.:	Hall	McDonald	Pearson	
Cook	Hilliard	Mitchem	Robertson	
Denton	Holmes	Parsons	Smith	
Figures				—12

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Extraordinary Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 221. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

And said bill as thus amended by the Report of the Extraordinary Committee on Conference was again read and passed.

And said bill, together with the Report of the Extraordinary Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 745. To amend Section 41-9-96, Code of Alabama 1975, which provides for the permit fees and taxation of boxing and wrestling matches, so as to eliminate the gross receipts tax on such matches.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 287. URGING THE COUNTY AND CITY GOVERNING BODIES TO EARMARK AT LEAST 50% OF THE RESULTING INCREASE OF THE PROCEEDS DERIVED FROM H. B. 165 OF THE 1982 REGULAR SESSION TO MONTGOMERY COUNTY BOARD OF EDUCATION.

Also:

S. J. R. 288. COMMENDING REV. GEORGE COOK, JR. OF BIRMINGHAM, ALABAMA ON BEING NAMED MAN OF THE YEAR.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 132. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 422. To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Ray, Kelley, and Minus.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is required.

H. 616. Proposing an amendment to the Constitution of Alabama authorizing the legislature, by resolution, to designate a suitable place for the meeting and transacting of business of the legislature in the event it becomes necessary or desirable to repair, renovate, restore, construct or reconstruct the Capitol.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

REPORT OF THE COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 203. MOURNING THE DEATH OF MR. MONROE LEE ADAMS OF TUSCALOOSA COUNTY, ALABAMA.

Also:

S. J. R. 278. COMMENDING MR. J. T. COLLINS OF ATHENS, LIMESTONE COUNTY, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. 39. To provide for additional judgeships for certain judicial circuits of Alabama; to provide for the appointment of the first judge to fill said judgeships; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in certain judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide that the presiding circuit judge of certain judicial circuits shall be authorized to designate either a district court judge or a circuit court judge as the juvenile court judge, and to further provide that the presiding circuit judge shall have the authority to establish a Family Court Division in certain judicial circuits.

Also:

S. 86. To amend Section 36-26-5, Code of Alabama 1975, relating to the state personnel board, so as to change the composition of said board.

Also:

S. 112. Relating to the Alabama Sunset Law; to terminate the existence and functioning of the State Board of Heating, Air Conditioning,

Roofing and Sheet Metal Contractors as provided in Sections 34-31-1 through 34-31-17 of the Code of Alabama 1975; and to create a new Board of Heating and Air Conditioning Contractors to replace the terminated board, and to repeal Sections 34-31-1 through 34-31-17, Code of Alabama 1975.

Also:

S. 246. To exempt from the requirements of the Alabama Child Labor Act, Chapter 8, Title 25, Code of Alabama 1975, time and hour restrictions for children under 16 and the requirement for securing employment and age certificates by persons under 17 who are employed as actors or performers in a motion picture approved and coordinated by the Alabama Film Commission in conjunction with and under the jurisdiction and supervision of the Department of Industrial Relations and to set forth protective employment conditions for such children under the age of 16.

Also:

S. 276. To amend Section 37-2-1, Code of Alabama 1975 relating to defining the term "transportation company."

Also:

S. 341. Relating further license plates to be used for motor vehicles; providing for distinctive license plates for vehicles owned by certain fire fighters.

Also:

S. 379. To amend §8-8-7 of the Code of Alabama 1975 in order to exempt from all laws governing usury any bonds, notes, warrants, other evidences of indebtedness or securities issued by the State of Alabama or any department, agency or instrumentality thereof or by any not-for-profit public or private corporation and by any board of water and sewer commissioners created under the provision of Article 10, chapter 50, Title 11, Code of Alabama 1975 and authorized to issue bonds under Section 11-50-345, Code of Alabama 1975 at any time created for the purpose of acting as an instrumentality of the State of Alabama or otherwise acting in the public interest.

Also:

S. 387. To provide for a minimum salary for county commissioners and chairmen of the county commissions.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 102. To provide for a Life and Disability Insurance Guaranty Association so as to avoid financial loss to claimants or policyholders because of the insolvency of an insurer; to provide for definitions; to provide for a Board of Directors and powers and duties of the Association; to provide for powers and duties of the Commissioner; to provide for certain tax exemptions and immunity; and to provide for termination procedures and distribution of funds.

Also:

S. 225. To amend Section 2-7-7, Code of Alabama 1975, which Section relates to a payment by the Alabama Agricultural and Industrial Exhibit Commission to the South Alabama State Fair Association for premiums, awards and prizes given at said Fair to exhibitors of cattle, sheep, goats, hogs, agricultural shows or exhibits, fine art shows, exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America, poultry and other types of exhibits so as to remove a limitation of \$10,000.00 which the said Section imposes.

Also:

S. 405. Exempting from the state competitive bid laws purchases and contracts for services made by any state department or agency whose principal business is honorariums and whose annual appropriation from the legislature is less than seventy-five thousand dollars (\$75,000).

Also:

S. 275. To amend Section 36-1-4.1, Code of Alabama 1975, which provides for payroll deductions of public employees for certain national health services, so as to include Leukemia Society of America, Alabama Chapter, within the definitions of charitable organizations as used in this section.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 125. To amend Section 16-28-4 of the Code of Alabama 1975 providing for the minimum age at which a child may enter school so as to provide that a child who moves into this state having completed a mandated public kindergarten program in another state shall be admitted to school regardless of age.

Also:

H. 253. Relating to the eradication and control of swine diseases: to make an appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1983, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

H. 339. To amend Section 37-1-58, Code of Alabama 1975, which relates to the filing of annual return of business by utilities doing business in the State of Alabama so as to allow utilities the option of filing annual business reports on either a fiscal or calendar year basis.

Also:

H. 538. To amend Section 15-18-72, Code of Alabama 1975, as amended, relating to defendants ordered by the court to make restitution, so as to require payments be transmitted within a specified time.

Also:

H. 609. To provide for and prescribe time limits in which proceeds derived from the sale of oil and gas production shall be paid to the person or persons legally entitled thereto and to further prescribe interest penalties for failure to meet the said limits.

Also:

H. 745. To amend Section 41-9-96, Code of Alabama 1975, which provides for the permit fees and taxation of boxing and wrestling matches, so as to eliminate the gross receipts tax on such matches.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 50

The Senate proceeded to further consideration of the Bill, H. B. 50, as amended.

On motion of Mr. Denton, further consideration of the Bill, H. B. 50, as amended, was postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 153. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1983.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Substitute Message from the Governor returning House Bill No. 153 as substituted and amended without the Governor's signature and approval.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 26th day of April, 1982

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill 153 as substituted and amended, without my signature and approval and with the following suggested Executive Amendment:

Deleting Sections 3-A-2 in its entirety and inserting in lieu thereof the following new Section 3-A-2:

2. Arts and Humanities, Council
on the:

(a) Fine Arts Program	888,060
(b) Jefferson County Committee for Economic Opportunity, Inc.	25,000
(c) Alabama Outdoor Drama	10,000
(d) Brown Arts Council	7,500
(e) Heritage Band	10,000

The appropriation to the Council on the Arts and Humanities shall include a transfer to the State Personnel Department of \$532.

SOURCE OF FUNDS:

(1) ASETF - Transfer	600,000		
(2) Federal and Local Funds		340,560	
Total Council on the Arts and Humanities	600,000	340,560	940,560

In addition to the above appropriation, \$252,500 is hereby appropriated from the Alabama Special Educational Trust Fund to the Council on the Arts and

Humanities to be conditioned on the availability of funds and the approval of the Governor.

Deleting Section 3-A-5 in its entirety and inserting in lieu thereof the following new Section 3-A-5:

5. Education, Department of:

(a) Instructional Technical Assistance Program	7,074,285
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The proposed spending plan for the above is as follows:

Career Education 98,000

Vocational Education 651,000

Special Education Admin. 450,000

SOURCE OF FUNDS:

(1) ASETF	1,722,441		
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(2) Federal and Local Funds		<u>5,351,844</u>	
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Total Instructional Technical Assistance Program	<u>1,722,441</u>	<u>5,351,844</u>	<u>7,074,285</u>
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(b) Local Agency Support Program			10,336,514
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The proposed spending plan for the above is as follows:

Driver Education, School Bus Driver Training and Vehicle Safety Inspection 205,000

Free Textbooks 7,887,700

In addition to the above appropriation, \$2,450,000 is hereby appropriated from the Alabama Special Educational Trust Fund for Free Textbooks to be conditioned on the availability of funds and the approval of the Governor.

Testing 500,000

In addition to the above appropriation, \$250,000 is hereby appropriated from the Alabama Special Educational Trust Fund for Testing to be conditioned on the availability of funds and the approval of the Governor.

Plans and Survey 71,000

SOURCE OF FUNDS:

(1) ASETF	8,663,700		
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(2) Federal and Local Funds		<u>1,672,814</u>	
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Total Local Agency Support Program	<u>8,663,700</u>	1,672,814	<u>10,336,514</u>
(c) Regulation Program			1,196,000
Teacher Certification and Accreditation	257,105		
SOURCE OF FUNDS:			
(1) ASETF	257,105		
(2) Federal and Local Funds		<u>938,895</u>	
Total Regulation Program	<u>257,105</u>	<u>938,895</u>	<u>1,196,000</u>
(d) Administrative Services Program			11,129,032
The proposed spending plan for the above is as follows:			
Compact for Education	32,000		
Operations & Maintenance of Department	1,844,822		
In addition to the above appropriation, \$250,000 is hereby appropriated from the Alabama Special Educational Trust Fund for Testing to be conditioned on the availability of funds and the approval of the Governor.			
Telephone Network Fund	1,300,000		
SOURCE OF FUNDS:			
(1) ASETF	3,176,822		
(2) Federal and Local Funds		<u>7,952,210</u>	
Total Administrative Services Program	<u>3,176,822</u>	<u>7,952,210</u>	<u>11,129,032</u>
The above appropriation shall include a transfer to the State Personnel Department of \$72,952.			
(e) Adult Education Program			3,925,496
The proposed spending plan for the above is as follows:			
Adult Basic Education .	1,400,000		
Community Education ...	160,000		
SOURCE OF FUNDS:			
(1) ASETF	1,560,000		
(2) Federal and Local Funds		<u>2,365,496</u>	
Total Adult Education Program .	<u>1,560,000</u>	<u>2,365,496</u>	<u>3,925,496</u>

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(f) Support of State Universities Program	256,833
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SOURCE OF FUNDS:

(1) Federal and Local Funds	256,833	
Total Support of State Universities Program	256,833	256,833

(g) Projects-Vocation Rehabilitation/Crippled Children Services Program	601,145
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SOURCE OF FUNDS:

(1) Federal and Local Funds	601,145	
Total Projects-Voc. Rehab/Crippled Children Services Program	601,145	601,145

(h) Disability Determination for Social Security Program	16,704,067
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SOURCE OF FUNDS:

(1) Federal and Local Funds	16,704,067	
Total Disability Determination for Social Security Program	16,704,067	16,704,067

(i) Financial Assistance Program	193,198,170
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SOURCE OF FUNDS:

(1) Federal and Local Funds	193,198,170	
Total Financial Assistance Program	193,198,170	193,198,170

(j) Support of Other Educational Activities	9,300
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The proposed spending plan for the above is as follows:

Education of Dependents of Blind Parents	9,300
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SOURCE OF FUNDS:

(1) ASETF	9,300	
Total Support of Other Educational Activities	9,300	9,300

For reimbursement of every State Institution of Higher Learning, College, University, or Vocational-Technical School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.

(k) Emergency Medical Services Education Program	1,500,000
To be distributed by the Department of Education as follows	
(1) West Alabama Emergency Medical Services, Inc.	250,000
(2) Birmingham Regional Emergency Medical System	250,000
(3) North Alabama Emergency Medical Services, Inc.	250,000
(4) Southeast Alabama Emergency Medical Services System, Inc.	250,000
(5) East Alabama Emergency Medical Services, Inc.	250,000
(6) Southwest Alabama Emergency Medical Services Council, Inc.	250,000

The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>	
Total Emergency Medical Services Education Program	<u>1,500,000</u>	<u>1,500,000</u>
(1) Direct Client Services for the Handicapped		36,494,545
To be distributed by the Department of Education as follows:		
Crippled Children Services Program	4,431,867	
In addition to the above appropriation, \$400,000 is hereby appropriated from the Alabama Special Educational Trust Fund to the Crippled Children Services Program to be conditioned on the availability of funds and the approval of the Governor.		
Hemophilia Program	279,000	
Homebound Program	2,000,000	

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Rehabilitation Services Program 6,166,675

Handicapped Recreation Program 186,000

(To provide recreation and services at a year-round accredited handicapped recreation facility).

SOURCE OF FUNDS:

(1) ASETF 13,063,542

(2) Federal and Local Funds 23,431,003

Total Direct Client Services for the Handicapped 13,063,542 23,431,003 36,494,545

In addition to the above appropriation, the following conditional appropriation is hereby made:

Cystic Fibrosis Treatment Program (All age groups included) 270,000

Said appropriation is to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

Total Department of Education:

SOURCE OF FUNDS:

(1) ASETF 29,952,910

(2) Federal and Local Funds 252,472,477

Grand Total Department of Education 29,952,910 252,472,477 282,425,387

Deleting Section 3-A-6 in its entirety and inserting in lieu the following new Section 3-A-6:

6. Employees' Insurance, State .. 816,000

SOURCE OF FUNDS:

(1) ASETF 816,000

Total State Employees' Insurance 816,000 816,000

Deleting Section 3-A-20 and Section 3-A-21 in their entirety and inserting in lieu thereof the following new Section 3-A-20 and Section 3-A-21:

20. Minimum Program and Public School Fund:

(a) Financial Assistance Program 524,877,487

SOURCE OF FUNDS:

(1) ASETF	486,701,002		
(2) Public School Fund		33,500,000	
(3) Local Funds		<u>4,676,485</u>	
Total Minimum Program and Public School Fund	<u>486,701,002</u>	<u>38,176,485</u>	<u>524,877,487</u>

The above appropriation shall be paid in accordance with Title 16, Article 3, 1975 Code of Alabama, and all other legislation pertaining thereto.

The appropriation hereinabove set out for the fiscal year 1982-83 is based on 23,432 teacher units.

It is provided in the event there are more than 23,432 earned teacher units for the fiscal year 1982-83, then such amounts necessary to pay for these excess teacher units are hereby appropriated. It is further provided that in the event that there be less earned teacher units than those set out above then the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid.

In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

For "Board of Adjustment" awards in accordance with the Minimum Program statutes and regulations an amount not to exceed \$150,000.

For "Salaries" the amount shall not exceed a total of \$397,913,472. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$18,892	2,577.69	\$ 48,697,719
I	17,689	12,254.60	216,771,619
II	15,401	8,599.71	132,444,134
III	12,967	0	0
IV	11,261	0	0
		<u>23,432.00</u>	<u>\$397,913,472</u>

For "Other Current Expenses" an amount not to exceed \$3,107.40 for each earned teacher unit but the total shall not exceed the sum of \$72,812,597.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$1,520,034.

For "Principal Supplement" an amount not to exceed the total of \$2,343,200.

The above appropriation contained in sub-section (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$50,138,184.

21. Board of Education:

(a) Financial Assistance Program 266,874,740

SOURCE OF FUNDS:

(1) ASETF 266,874,740

Total Board of Education 266,874,740 266,874,740

To be distributed by the State
Board of Education for:

(a) Hospital Medical Insurance
Assistance for Professional Staff,
Support Staff, and Adult School
Bus Drivers18,481,857

Of the appropriation hereinabove made for Hospital Medical Insurance there is hereby appropriated the sum of three hundred nine dollars (\$309.00) per annum per teacher, administrative supervisory unit, full-time support employee, and adult school bus driver, provided that no more than \$309.00 shall be appropriated per person.

(b) Teachers' Sick Leave 3,500,000

Of the appropriation hereinabove made for Teachers' Sick Leave, the rate of not more than \$17 per day is hereby appropriated.

(c) Support Personnel Sick
Leave1,431,781

The appropriation hereinabove shall provide sick leave in accordance with Act No. 208, 1977 Regular Session.

(d) Teachers' Personal
Leave925,598

The appropriation hereinabove made to Teachers' Personal Leave provides for two (2) days personal leave at \$17 per teacher unit for each teacher employed (except ESEA Title I, Title IV and Title VI teachers and ESAA teachers).

(e) Funds to Replace
Fees9,405,250

Of the appropriation hereinabove made for Funds to Replace Fees there is hereby appropriated two hundred fifty dollars (\$250) per teacher unit for grades K-6 and two hundred fifty dollars (\$250) per teacher unit for grades 7-12 for all teachers employed (except ESEA Title I, Title IV and Title VI teachers and ESAA teachers).

(f) Maintenance5,630,287

(g) Continuation of funds previously granted for Special Education25,048,991

\$1,200,000 shall be allocated for handicapped students in vocational education.

Of the \$25,048,991 for Special Education, \$350,000 shall be allocated to the Tuscaloosa Regional Handicapped School; \$350,000 shall be allocated to the Southwest Alabama School for Deaf and Blind; \$250,000 for the Vivian B. Adams School; \$25,000 shall be allocated to the Butler County Training School for the Mentally Retarded in Greenville, Alabama; \$25,000 shall be allocated to the Hope Haven School in Colbert County; \$25,000 shall be allocated to the Jasper Shriner School; \$25,000 shall be allocated to the Montgomery Institute of Neurological Development in Montgomery, Alabama; \$35,000 shall be allocated to the Birmingham Training Center for Brain-Injured Children in Birmingham, Alabama; \$25,000 shall be allocated to Project Independence in Coffee County, Alabama; \$50,000 shall be allocated to the Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled; \$18,000 to Auburn University Preschool for Multi-handicapped children; \$75,000 to the Alice Pigman School; \$75,000 to the Montgomery Board of Education for the purpose of establishing a pilot program for deaf students in Public Schools; \$250,000 shall be allocated to the McInnis School in Montgomery, Alabama; \$50,000 shall be allocated to the Special Education School in Vinemont in Cullman County; \$145,000 to the Alabama Institute for Deaf and Blind to implement the purpose of Act No. 106 and P.L. 94-142. In addition to the above appropriation, there is hereby appropriated \$2,895,000 to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

(h) Kindergarten teacher units20,968,703

The above appropriation is for 1,080 teacher units and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed a total of \$17,542,651. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$18,892	31.21	\$ 589,619
I	17,689	349.92	6,189,735
II	15,401	698.87	10,763,297
		<u>1,080.00</u>	<u>\$17,542,651</u>

For "Other Current Expenses" an amount not to exceed \$3,107.40 for each earned teacher unit but the total shall not exceed the sum of \$3,355,992.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$70,060.

(i) Supportive teacher units33,797,613

The above appropriation provides for one extra unit or fraction thereof for each aggregate of fifteen units or fraction thereof earned on regulat units in the Minimum Program, Kindergarten units in (h) and additional teacher units in (j). The above appropriation is for 1,677 teacher units and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed \$28,477,716. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$18,892	184.45	\$ 3,484,629
I	17,689	876.89	15,511,307
II	15,401	615.66	9,481,780
		1,677.00	\$28,477,716

For "Other Current Expenses" an amount not to exceed \$3,107.40 for each earned teacher unit but the total shall not exceed the sum of \$5,211,110.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$108,787.

(j) Continuation of Teacher Units
to reduce pupil-teacher ratio in
grades 1-613,094,375

The above appropriation is for 650 teacher units and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed \$11,032,399. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$18,892	71.11	\$1,343,410
I	17,689	338.07	5,980,120
II	15,401	240.82	3,708,869
		650.00	\$11,032,399

For "Other Current Expenses" an amount not to exceed \$3,107.40 for each earned teacher unit but the total shall not exceed the sum of \$2,019,810.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$42,166.

(k) Special Education .66,137,296

The above appropriation is for 3,250 teacher units and includes salaries, other current expenses, capital improvements, and transportation at the following rates:

For "Salaries" the sum shall not exceed \$55,027,418. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$18,892	249.92	\$ 4,721,489
I	17,689	1,792.70	31,711,070
II	15,401	1,207.38	18,594,859
		<u>3,250.00</u>	<u>\$55,027,418</u>

For "Other Current Expenses" an amount not to exceed \$3,107.40 for each earned teacher unit but the total shall not exceed the sum of \$10,099,050.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$210,828.

For "Transportation" the total shall not exceed \$800,000.

(l) Vocational Teacher
Units 60,949,040

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon the recommendation of the State Superintendent.

(m) Driver Education .. 6,597,642

The above appropriation is for 324 driver education units or other teacher units as approved by the local Board of Education and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed \$5,569,826. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	18,892	29.81	\$ 563,171
I	17,689	207.97	3,678,781
II	15,401	86.22	1,327,874
		<u>324.00</u>	<u>\$5,569,826</u>

For "Other Current Expenses" an amount not to exceed \$3,107.40 for each earned teacher unit but the total shall not exceed the sum of \$1,006,798.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$21,018.

(n) Lunchroom workers .. 906,307

Deleting Section 3-A-23 in its entirety and inserting in lieu thereof the following new Section 3-A-23:

23. Peace Officers' Standards and
Training Commission, Alabama:

(a) Professional and Occupational Licensing and Regulation Program	116,998
(b) Certified Law Enforcement Academy Program	300,000

The appropriation made above for the Certified Law Enforcement Academy Program shall be expended as follows:

Jacksonville State University	84,000
University of Alabama ..	84,000
James H. Faulkner Jr. Coll.	84,000
Troy State Univ-Montgomery	48,000
Total	\$300,000

The appropriation to the Alabama Peace Officers' Standards and Training Commission shall include a transfer to the State Personnel Department of \$160.

SOURCE OF FUNDS:

(1) ASETF	116,998		
(2) Alabama Peace Officers' Standards and Training Fund-as provided in Title 36, Chapter 21, 1975 Code of Alabama as amended		300,000	
Total Alabama Peace Officers' Standards and Training Commission	116,998	300,000	416,998

Deleting Sections 3-A-27, and 3-A-28 in their entirety and inserting in lieu thereof the following new Sections 3-A-27 and 2-A-28.

27. Social Security (ASETF Share):

(a) For State's Share of Social Security, Estimated	89,900,000
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SOURCE OF FUNDS:

(1) ASETF	89,900,000	
Total Social Security (ASETF Share)	89,900,000	89,900,000

28. Teachers' Retirement System of Alabama:

(a) Retirement Systems Program	173,761,080
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SOURCE OF FUNDS:

(1) ASETF-Teachers' Retirement System, Estimated	160,885,080
(2) ASETF-Teachers' Special Pension Fund, Estimated	12,876,000

Total Teachers' Retirement System Program (State's Share)	173,761,080	173,761,080
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Deleting Section 3-A-32 in its entirety and inserting in lieu thereof the following new Section 3-A-32:

32. Veterans' Education Benefits:

(a) Administration of Veterans' Affairs Program	1,415,500
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SOURCE OF FUNDS:

(1) ASETF-Transfer	1,415,500
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Total Veterans' Education Bene- fits	1,415,500	1,415,500
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The above appropriation includes pro rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, Junior College, or Vocational Technical School, in which benefits are given to Veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

Deleting Section 3-A-33 in its entirety and inserting in lieu thereof the following new Section 3-A-33:

33. Youth Services, Department
of:

(a) Youth Services Program	10,739,813
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The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$18,211.

SOURCE OF FUNDS:

(1) ASETF	9,659,265
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(2) Federal and Local Funds	1,080,548
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Total Department of Youth Ser- vices	9,659,265	1,080,548	10,739,813
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(To be expended in accordance with Act No. 816, 1973 Regular Session.)

In addition to the above appropriation, \$2,500,000 is hereby appropriated from the Alabama Special Educational Trust Fund to the Department of Youth Services to be conditioned on the availability of funds and the approval of the Governor.

Deleting Section 5 in its entirety and inserting in lieu thereof the following new Section 5:

Section 5.

Colleges, Universities and Schools

I. Board of Trustees of University of Alabama:

A. THE UNIVERSITY:

1. Operations and Maintenance .	37,234,629	25,779,470	63,014,099
2. Research, Extension and Public Service	2,129,000	289,600	2,418,600
3. Emergency Medical Services .	145,000		145,000
4. Center for Emotionally Disturbed Children	548,000		548,000
5. Nursing Scholarships	18,000		18,000
6. School of Mines & Energy Dev.	1,583,000		1,583,000
7. Capstone Medical Center	862,000		862,000
8. Alabama Museum of Natural History	172,000	49,500	221,500
9. College of Community Health Services Medical Education ...	2,503,000	96,000	2,599,000
10. Cooperative University Upper Division Program-Gadsden	206,000	81,000	287,000
11. Rural Infant Stimulation Environment Program	144,000		144,000
12. High Risk Nursery	117,000		117,000
13. Safe State Program	178,000		178,000
14. Legal Education/Research ...	185,000		185,000
15. Auxiliary Enterprises		22,811,388	22,811,388
16. Restricted Funds		17,505,000	17,505,000
17. Advocacy Program for the Developmentally Disabled	25,000		25,000

SOURCE OF FUNDS:

(1) ASETF	46,049,629		
(2) Other Funds		56,611,958	
Total University of Alabama	46,049,629	66,611,958	112,661,587

In addition to the above appropriation, there is hereby appropriated \$330,321 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

B. UNIVERSITY OF ALABAMA
IN BIRMINGHAM

1. University College	15,088,383	17,108,200	32,196,583
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2. School of Community and Allied Health	2,199,592	886,258	3,085,850
3. Regional Technical Institute ..	1,977,531	260,700	2,238,231
4. Joint Health Sciences	3,232,025	728,300	3,960,325
5. Student Nurses Loans	11,410		11,410
6. Nursing Scholarships	84,048		84,048
7. School of Nursing	3,443,601	957,425	4,401,026
8. Center for Labor Education and Research	271,861		271,861
9. Urban Research and Public Service	313,240		313,240
10. School of Medicine	17,460,597	15,104,220	32,564,817
11. School of Optometry	2,412,747	1,554,500	3,967,247
12. School of Dentistry	7,719,125	4,338,300	12,057,425
13. System Medical Education Program	504,682		504,682
14. School of Public Health	1,514,643	260,050	1,774,693
15. Family Practice Residency Programs	1,605,163		1,605,163
The above appropriation shall be expended for residency programs as follows:			
Anniston	252,722		
East End	252,722		
Jefferson County	252,722		
Montgomery	252,722		
Selma	341,553		
Gadsden	252,722		
16. Diabetes	100,000		100,000
17. University Hospitals	5,975,653	136,585,902	142,561,555
18. School of Engineering and Business	440,606		440,606
19. Public Health Research Program	144,102		144,102
20. Department of Pediatrics	618,400		618,400
21. Health-Related Research and Public Service	2,915,266		2,915,266
22. Emergency Medical Service and Training	165,282		165,282
23. Montgomery Internal Medical Residency	235,889		235,889
24. Hypertension Research	400,931		400,931

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25. Multipurpose Arthritis Center	400,931	400,931
26. Medical Genetics Program ..	290,647	290,647
27. Research Development & Re- lations	150,000	150,000
28. Special Mental Health	3,454,288	3,454,288
29. Center for Developmental and Learning Disorders	583,926	583,926
30. Auxiliary Enterprises	7,460,500	7,460,500
31. Restricted Funds	51,119,500	51,119,500
32. Community Biomedical Re- search	<u>325,000</u>	<u>325,000</u>

SOURCE OF FUNDS:

(1) ASETF	69,676,355		
(2) Special Mental Health Trust Fund		4,038,214	
(3) Other Funds		<u>236,688,855</u>	
Total University of Alabama in Birmingham	<u>69,676,355</u>	<u>240,727,069</u>	<u>310,403,424</u>

In addition to the above appropriation there is hereby appropriated \$562,154 for University College to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

C. UNIVERSITY OF ALABAMA
IN HUNTSVILLE

1. Operations and Maintenance .	7,681,423	8,954,735	16,636,158
2. Nursing Scholarships	18,000		18,000
3. Center for Management and Economic Research	46,800		46,800
4. School of Primary Medical Care	2,812,903	127,200	2,940,103
5. Community Medicine Rural Preceptorship Program	32,538		32,538
6. Johnson Environmental and Energy Center	361,154		361,154
7. Ambulatory Care Center	848,017	637,000	1,485,017
8. School of Nursing	937,457	180,057	1,117,514
9. Paramedic Training	123,468		123,468
10. Alabama Solar Energy Center	356,667		356,667
11. Auxiliary Enterprises		1,997,814	1,997,814
12. Research Institute	<u>150,000</u>		<u>150,000</u>

SOURCE OF FUNDS:

(1) ASETF	13,368,427	
(2) Other Funds		<u>11,896,806</u>

Total University of Alabama in Huntsville	<u>13,368,427</u>	<u>11,896,806</u>	<u>25,265,233</u>
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In addition to the above appropriation, there is hereby appropriated \$34,831 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

II. Board of Trustees of Alabama A
& M University

A. ALABAMA A & M UNIVERSITY

1. Operations and Maintenance .	9,437,645	10,114,800	19,552,445
2. Vocational Teacher Training .	264,595		264,595
3. Cooperative Extension, Re- search and Service	300,000		300,000
4. Auxiliary Enterprises		<u>4,038,583</u>	<u>4,038,583</u>

SOURCE OF FUNDS:

(1) ASETF	10,002,240		
(2) Other Funds		<u>14,153,383</u>	
Total Alabama A & M University	<u>10,002,240</u>	<u>14,153,383</u>	<u>24,155,623</u>

In addition to the above appropriation, there is hereby appropriated \$239,484 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

III. Board of Trustees of Alabama
State University

A. ALABAMA STATE UNIVERSITY

1. Operations and Maintenance .	8,524,347	8,960,640	17,484,987
2. Auxiliary Enterprises		<u>4,178,037</u>	<u>4,178,037</u>

SOURCE OF FUNDS:

(1) ASETF	8,524,347		
(2) Other Funds		<u>13,138,677</u>	
Total Alabama State University .	<u>8,524,347</u>	<u>13,138,677</u>	<u>21,663,024</u>

In addition to the above appropriation, there is hereby appropriated \$22,210 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

IV. State Board of Education

A. ATHENS STATE COLLEGE

1. Operations and Maintenance .	1,980,646	882,569	2,863,215
2. Auxiliary Enterprises		<u>231,961</u>	<u>231,961</u>

SOURCE OF FUNDS:

(1) ASETF	1,980,646		
(2) Other Funds		<u>1,114,530</u>	
Total Athens State College	<u>1,980,646</u>	<u>1,114,530</u>	<u>3,095,176</u>

V. Board of Trustees of Auburn University

A. AUBURN UNIVERSITY

1. Operations and Maintenance .	41,806,532	42,458,870	84,265,402
2. Educational Television	386,506		386,506
3. Center for Vocational and Adult Education	548,910		548,910
4. Clinical Psychology	120,760		120,760
5. Engineering Experiment Station	919,351		919,351
6. Public Service, Research and Extension	396,159		396,159
7. Energy Research	282,971		282,971
8. Food Animal Health and Disease Research	300,000		300,000
9. Ralph Draughon Library	100,000		100,000
10. Auxiliary Enterprises		<u>20,689,063</u>	<u>20,689,063</u>

SOURCE OF FUNDS:

(1) ASETF	44,861,189		
(2) Other Funds		<u>63,147,933</u>	
Total Auburn University	<u>44,861,189</u>	<u>63,147,933</u>	<u>108,009,122</u>

In addition to the above appropriation there is hereby appropriated \$312,001 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

B. AGRICULTURAL EXPERIMENT STATION

1. Operations and Maintenance .	<u>8,499,349</u>	<u>11,120,396</u>	<u>19,619,745</u>
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SOURCE OF FUNDS:

(1) ASETF	8,499,349		
(2) Other Funds		<u>11,120,396</u>	
Total Agricultural Experiment Station	<u>8,499,349</u>	<u>11,120,396</u>	<u>19,619,745</u>

In addition to the above appropriation there is hereby appropriated \$151,117 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Education Trust Fund and upon the approval of the Governor.

C. COOPERATIVE EXTENSION
SERVICE

1. Operations and Maintenance .	9,238,383	9,517,166	18,755,549
2. Retirement	<u>1,400,000</u>		<u>1,400,000</u>

SOURCE OF FUNDS:

(1) ASETF	10,638,383		
(2) Other Funds		<u>9,517,166</u>	

Total Cooperative Extension Service	<u>10,638,383</u>	<u>9,517,166</u>	<u>20,155,549</u>
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In addition to the above appropriation there is hereby appropriated \$129,477 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Education Trust Fund and upon the approval of the Governor.

D. AUBURN UNIVERSITY AT
MONTGOMERY

1. Operations and Maintenance .	7,076,168	6,387,993	13,464,161
2. Montgomery Area Community Health Sciences Institute	50,949		50,949
3. Public Service, Research and Extension (Center for Government and Public Affairs)	167,751	47,436	215,187
4. Auxiliary Enterprises		1,619,450	1,619,450
5. Nursing Scholarships	<u>18,000</u>		<u>18,000</u>

SOURCE OF FUNDS:

(1) ASETF	7,312,868		
(2) Other Funds		<u>8,054,879</u>	

Total Auburn University at Montgomery	<u>7,312,868</u>	<u>8,054,879</u>	<u>15,367,747</u>
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In addition to the above appropriation, there is hereby appropriated \$37,054 for Operation and Maintenance to be conditioned on the availability of funds in the Alabama Special Education Trust Fund and upon the approval of the Governor.

VI. Board of Trustees of Jacksonville State University

A. JACKSONVILLE STATE
UNIVERSITY

1. Operations and Maintenance .	11,692,641	5,376,000	17,068,641
2. Cooperative University Upper Division Program-Gadsden	464,000	91,000	555,000
3. Nursing Scholarships	18,000		18,000
4. United Cerebral Palsy Development Center for East Central Alabama	100,890		100,890

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5. Vocational Teacher Training .	100,890		100,890
6. Auxiliary Enterprises		<u>2,620,210</u>	<u>2,620,210</u>

SOURCE OF FUNDS:

(1) ASETF	12,376,421		
(2) Other Funds		<u>8,087,210</u>	
Total Jacksonville State University	<u>12,376,421</u>	<u>8,087,210</u>	<u>20,463,631</u>

In addition to the above appropriation, there is hereby appropriated \$32,247 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

VII. Board of Trustees of
Livingston University

A. LIVINGSTON UNIVERSITY

1. Operations and Maintenance .	4,127,116	1,180,304	5,307,420
2. Nursing Scholarships	18,000		18,000
3. Auxiliary Enterprises		<u>1,496,700</u>	<u>1,496,700</u>

SOURCE OF FUNDS:

(1) ASETF	4,145,116		
(2) Other Funds		<u>2,677,004</u>	
Total Livingston University	<u>4,145,116</u>	<u>2,677,004</u>	<u>6,822,120</u>

VIII. Board of Trustees of University of Montevallo

A. UNIVERSITY OF MONTEVALLO

1. Operations and Maintenance .	6,047,658	3,245,101	9,292,759
2. School for Aphasic Children ..	220,295		220,295
3. Highway Safety Program	137,579		137,579
4. Communication Center	69,597		69,597
5. Auxiliary Enterprises		<u>3,251,380</u>	<u>3,251,380</u>

SOURCE OF FUNDS:

(1) ASETF	6,475,129		
(2) Other Funds		<u>6,496,481</u>	
Total University of Montevallo ..	<u>6,475,129</u>	<u>6,496,481</u>	<u>12,971,610</u>

In addition to the above appropriation, there is hereby appropriated \$66,952 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

IX. Board of Trustees of University of North Alabama

A. UNIVERSITY OF NORTH
ALABAMA

1. Operations and Maintenance .	8,200,692	5,366,032	13,566,724
2. Nursing Scholarships	18,000		18,000
3. Auxiliary Enterprises		<u>2,734,905</u>	<u>2,734,905</u>

SOURCE OF FUNDS:

(1) ASETF	8,218,692		
(2) Other Funds		<u>8,100,937</u>	
Total University of North Ala- bama	<u>8,218,692</u>	<u>8,100,937</u>	<u>16,319,629</u>

In addition to the above appropriation, there is hereby appropriated \$21,414 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

X. Board of Trustees of University
of South AlabamaA. UNIVERSITY OF SOUTH
ALABAMA

1. Operations and Maintenance .	12,401,321	10,625,096	23,026,417
2. Medical Research and Public Service	284,223		284,223
3. Family Practice Residency Pro- gram	568,293		568,293
4. College of Medicine	9,285,484	9,942,287	19,227,771
5. Medical Center Hospital	1,144,714	35,745,779	36,890,493
6. Newborn Growth and Develop- ment Program	80,834		80,834
7. Division of Allied Health	770,640	190,433	961,073
8. School of Nursing	709,493	261,488	970,981
9. Nursing Scholarships	18,000	4,800	22,800
10. Research, Public Service and Extension	92,916	65,000	157,916
11. Paramedic Training Program	140,808	44,000	184,808
12. Basic Medical Sciences	276,400	49,500	325,900
13. Birth Defect Genetic Center .	199,587		199,587
14. Auxiliary Enterprises		<u>6,600,566</u>	<u>6,600,566</u>

SOURCE OF FUNDS:

(1) ASETF	25,972,713		
(2) Other Funds		<u>63,528,949</u>	
Total University of South Alabama	<u>25,972,713</u>	<u>63,528,949</u>	<u>89,501,662</u>

In addition to the above appropriation, there is hereby appropriated \$1,392,174 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

XI. Board of Trustees of Troy State University

A. TROY STATE UNIVERSITY

1. Operations and Maintenance at Troy	7,850,912	5,651,900	13,502,812
2. Operations and Maintenance at Ft. Rucker/Dothan	1,071,949	1,200,946	2,272,895
3. Operations and Maintenance in Montgomery	274,859	1,522,000	1,796,859
4. Nursing Scholarships	36,000		36,000
5. Operations and Maintenance at Bay Minette	61,568	274,831	336,399
6. School of Nursing-Montgomery	250,000	45,655	295,655
7. Branch Campus at Phenix City	93,452	405,000	498,452
8. Auxiliary Enterprises		<u>4,594,310</u>	<u>4,594,310</u>

SOURCE OF FUNDS:

(1) ASETF	9,638,740		
(2) Other Funds		<u>13,694,642</u>	
Total Troy State University	<u>9,638,740</u>	<u>13,694,642</u>	<u>23,333,382</u>

In addition to the above appropriation, there is hereby appropriated \$25,114 for Operations and Maintenance to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

XII. Board of Trustees for Alabama Institute for Deaf and Blind

1. Children and Youth Programs	6,163,326	1,367,380	7,530,706
2. E. H. Gentry Technical Facility	1,865,476	2,169,650	4,035,126
3. Industries for the Blind	<u>577,090</u>	<u>10,080,184</u>	<u>10,657,274</u>

SOURCE OF FUNDS:

(1) ASETF	8,605,892		
(2) Other Funds		<u>13,617,214</u>	
Total Alabama Institute for Deaf and Blind	<u>8,605,892</u>	<u>13,617,214</u>	<u>22,223,106</u>

In addition to the above appropriation, there is hereby appropriated \$387,467 for Children and Youth Programs, \$137,174 for E. H. Gentry Technical Facility and \$34,251 for Industries for the Blind to be conditioned on the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

Deleting Section 6 in its entirety and inserting in lieu thereof the following new Section 6.

Section 6.

A. GOVERNOR'S EDUCATION
PROGRAM

165,464

To the State Department of
Education-Board of Education
with Governor's approval. For
Basic Learning Skills Teams,
Standard Schools Program and
Liability Insurance.

SOURCE OF FUNDS:

(1) ASETF 165,464

Total Governor's Education Pro-
gram 165,464

165,464

In addition to the above appropriation, \$1,834,536 is hereby appropriated from the Alabama Special Educational Trust Fund for the Governor's Education Program to be conditioned on the availability of funds and the approval of the Governor.

B. BURNED-OUT SCHOOL
PROGRAM

\$2,000,000 is hereby appropriated for Burned-Out-Schools from the Alabama Special Educational Trust Fund to be conditioned on the availability of funds and the approval of the Governor. This conditional appropriation is to be allocated as follows:

(1) Bessemer City Board of Education—\$400,000

(2) Bullock County Board of Education—\$200,000

(3) Cullman County Board of Education—\$400,000

(4) Macon County Board of Education—\$200,000

(5) Central Junior High School in Madison County—\$800,000

C. CENTER FOR BASIC SCI-
ENCES REWARD FOR CYSTIC
FIBROSIS AT THE UNIVER-
SITY OF ALABAMA IN
BIRMINGHAM:

(a) Support of State Universities
Program

2,000,000

SOURCE OF FUNDS:

(1) ASETF 2,000,000

Total Center for Basic Sciences
Reward for Cystic Fibrosis at the
University in Birmingham

2,000,000

2,000,000

The above appropriation to the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham is conditioned upon the availability of funds in the Alabama Special Educational Trust

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Fund, the approval of the Governor and upon the availability of \$2,500,000 in matching funds from the Cystic Fibrosis Foundation. The matching funds are to be paid in increments of \$500,000 annually beginning in fiscal year 1982-83 and continuing through fiscal year 1986-87.

D. SYMPHONY, ALABAMA:

(a) Support of Other Educational
Activities Program 2,000,000

SOURCE OF FUNDS:

(1) ASETF 2,000,000
Total Alabama Symphony 2,000,000 2,000,000

The above appropriation to the Alabama Symphony is conditioned upon the availability of funds in the Alabama Special Educational Trust Fund and upon the approval of the Governor.

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Sincerely,

FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 73, Nays 10.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 89, Nays 8.

And said Bill, H. 153, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

GOVERNOR'S MESSAGE

Mr. deGraffenried moved that the Senate postpone temporarily further consideration of the Executive amendment to the Bill, H. B. 153, the title of which and said Executive amendment are set out in the foregoing Message from the House.

On motion of Mr. Pearson, said motion to postpone was laid on the table.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Higginbotham	Mitchem	Smith
Bailey	Hilliard	Parsons	Teague (J)
Denton	Holmes	Pearson	Vacca
Figures	Lemaster	St. John	Weeks
Hall	McDonald		

Nays:

Messrs.:	Goodwin	Little	Robertson
Britnell	Gulledge	Martin	Taylor
Callahan	Harrison	Miller	Teague (B)
Cook	Kirkland	Proctor	White
deGraffenried			

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REPORT OF CONFERENCE COMMITTEE

ON S. B. 422

We, the Committee on Conference appointed to reconcile the differences of the two houses concerning Senate Bill 422, have met in conference and have agreed to accept the attached substitute.

SENATOR H. L. "SONNY" CALLAHAN,
SENATOR JOHN TEAGUE,
SENATOR MAC PARSONS,
REPRESENTATIVE JAMES E. RAY,
REPRESENTATIVE PHILLIP B. KELLEY,
REPRESENTATIVE ROBERT C. GAFFORD.

April 26, 1982

CONFERENCE COMMITTEE SUBSTITUTE FOR S. B. 422

A BILL
TO BE ENTITLED
AN ACT

To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 12-13-20, Code of Alabama, 1975, is hereby amended to read as follows:

"Section 12-13-20. (a) No probate judge who is on a salary and who serves as chairman of the county commission shall receive total compensation less than \$25,000 \$30,000 per year for serving as chairman and probate judge. This section in no way affects probate judges earning more than \$25,000 \$30,000 per year.

(b) No probate judge who is on a salary and who does not serve as chairman of the county commission shall receive total compensation less than \$22,500 \$27,500 per year. This section in no way affects those probate judges earning more than \$22,500 \$27,500 per year.

(c) Any necessary funds needed to ensure a probate judge shall receive a total compensation of \$25,000 \$30,000 per year or \$22,500 \$27,500 per year as the case may be, shall be paid out of the respective county's general fund.

(d) The provisions of this section shall not affect the compensation of probate judges of counties where said judges are compensated on the basis of the fee system."

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(e) Any increase in salary provided in the provisions of this section shall not apply unless approved by a resolution of the county governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE REPORT

On motion of Mr. Callahan, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 422. To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

Yeas 22; Nays 2.

Yeas:

Messrs.:	Goodwin	Lemaster	Proctor
Bailey	Gulledge	Little	Taylor
Britnell	Harrison	Martin	Teague (B)
Callahan	Higginbotham	Miller	Vacca
Cook	Holmes	Mitchem	Weeks
Denton	Kirkland	Pearson	—22

Nays: Messrs.: Robertson and Teague (J). —2

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate bill:

S. 502. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges and fees in court costs in Pike County.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Ray, Ward and Edwards.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 688. To provide that the operation of bingo games for prizes or money only by qualified organizations for bona fide charitable, educational, or other lawful purposes shall be legal in Montgomery County; to provide for permits or licenses, applications, forms and contents to operate bingo, to provide for special permits or licenses, to prohibit certain activities and

impose special requirements; to provide for fees and expenses; to provide for the disposition of proceeds; to provide for the operation of bingo; to provide for the keeping of records and their inspection; to provide for the issuance and revocation of permits or licenses; to provide for supervision by the circuit court; to provide for certain powers and duties of the sheriff; to provide for penalties and forfeitures; and to provide that this act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery County, and approved at a referendum on the subject in the county; provided, however, if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery County, no further referendum is needed.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, AL 36130

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill 688 without his signature and approval and with suggested Executive Amendments.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 26th day of April, 1982.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 688 without my signature and approval and with the following suggested Executive Amendments:

In Section 1(b) "Qualified Organization"; on page two of the enrolled bill on line 5, after the word "fraternal" add the word "or".

On page two of the enrolled bill on line 6, after the word "veterans" delete the comma and the language "or private".

The adoption of the above and foregoing suggested Executive Amendment will remove my objection to this Bill.

Respectfully,

FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of those voting, said vote being: Yeas 33, Nays 1.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of those voting, and said vote being: Yeas 41, Nays 3.

And said Bill, H. 688, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Harrison, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 688, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Proctor
Bailey	Harrison	McDonald	Taylor
Britnell	Hilliard	Miller	Teague (B)
Cook	Holmes	Mitchem	Vacca
Denton	Keener	Parsons	Weeks
Figures	Kirkland	Pearson	White
Goodwin	Little		

—25

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 688, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Proctor
Bailey	Harrison	McDonald	Taylor
Britnell	Hilliard	Miller	Teague (B)
Cook	Holmes	Mitchem	Vacca
Denton	Keener	Parsons	Weeks
Figures	Kirkland	Pearson	White
Goodwin	Little		

—25

Nays: —0

which was a majority of the whole number elected to the Senate.

REPORT OF THE CONFERENCE COMMITTEE

ON S. B. 502

We, the Committee on Conference appointed to reconcile the difference of the two houses concerning Senate Bill 502, have met in conference and have agreed to accept the attached amendment.

MIKE WEEKS,
G. J. "DUTCH" HIGGINBOTHAM,
JOHN A. TEAGUE,
Conferees on the part of the Senate.

JAMES RAY,
WILLIAM D. EDWARDS,
SHELBY DEAN WARD,
Conferees on the part of the House.

April 26, 1982.

CONFERENCE COMMITTEE REPORT ON S. B. 502

On page 2, Section 2, on line 7, after the word "legislature" add the following:

and as provided by this section.

On page 2, Section 2, after the period, add the following new language:

This act shall become effective upon the adoption of this amendment to the Constitution of Alabama of 1901; provided, however, that the provisions of this amendment shall not become operative in Pike County unless approved by a majority of the qualified electors of the county who vote thereon at a referendum election held for such purpose. Such election may be called no more frequently than every two years; provided further, that if this amendment is approved or defeated by a majority of the qualified electors of Pike County who vote thereon upon its submission, such election shall constitute a referendum election held for such purpose and no further election need be called.

CONFERENCE REPORT

On motion of Mr. Weeks, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 502. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to place certain officials on salary or otherwise change the method of basis of compensation and disposition of the charges and fees in court costs in Pike County.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Pearson
Britnell	Hall	Martin	Proctor
Callahan	Holmes	McDonald	St. John
Cook	Keener	Miller	Smith
Denton	Kirkland	Mitchem	Taylor
Figures	Lemaster	Parsons	Weeks
Goodwin			

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 82. To provide that the state agencies, departments, boards or commissions may purchase liability insurance or be the self-insuror of the wrongful acts or omissions committed by their employees, agents, or servants while in the performance of their official duties in the line and scope of their employment; to establish the procedure for notification of the State Attorney General of suits against state employees for acts committed in the line and

scope of their performance; and to provide that the charges or costs of such liability insurance or self insurance shall be borne from the general operating funds of the various state agencies, boards, commissions or departments.

Also:

S. 179. To adopt and incorporate into the Code of Alabama 1975 all of the general and permanent laws of the State enacted during the 1981 Regular Session of the legislature as contained in the 1981 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such supplement; and to adopt and incorporate into the Code of Alabama 1975 the Alabama Business Corporation Act of 1980 as contained in Chapter 2A of Title 10 of the 1980 Replacement Volume 7 of the Code and the 1981 Cumulative Supplement thereto, and to make certain corrections in Chapter 2A of Title 10 of such Volume 7.

Also:

S. 333. To amend Section 19-3-1, Code of Alabama 1975, which provides for the creation of trusts for the support of relatives, so as to provide further for said trusts.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 109. To establish and fix minimum salaries of the tax assessors, tax collectors, revenue commissioners, license commissioners or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State; to abolish the fee system of compensation of such officials presently on a fee system; to provide for the method of payment of the salaries herein established; to provide for the personnel and other expenses necessary to the operation of such officials' offices; to provide that employees of the officials herein converted from a fee to a salary basis of compensation may continue their employment provided such employment commenced prior to passage of the Alabama Ethics Act; to provide for the payment of the fees, commissions and allowances paid to such officials presently on a fee system to be paid into the treasury from which their salaries are paid; to repeal all laws in conflict; and to establish the effective date of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. White, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 109, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 109

Amend Senate Bill 109, on Page 3, Line 34, by deleting Section 3 in its entirety and renumbering subsequent sections accordingly.

HOUSE AMENDMENT TO S. B. 109, AS AMENDED

On page 2, line 28, after the word "Act" insert the following language:
and upon approval by the county governing body of a resolution of authorization,

Yeas 22; Nays 0.

Yeas

Messrs.:	Goodwin	Martin	Taylor	
Britnell	Gulledge	McDonald	Teague (B)	
Callahan	Hall	Miller	Vacca	
Cook	Hilliard	Mitchem	Weeks	
deGraffenried	Kirkland	Parsons	White	
Denton	Little	Robertson		—22

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 110. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officials in the various counties of the State charged with the assessing and collecting of ad valorem taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. White, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 110, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 110

Amend S. 110 in the Synopsis on Page 1, line 11 after the word "state," add: providing for the combining or abolishing of said offices,.

Further amend the bill on Page 1, line 20, by removing the period and adding:

, and providing for the combining or abolishing of said offices.

Further amend the bill on Page 2, line 15, by inserting the following sentence:

"The legislature may by local act provide for the abolishment, combination or other alteration of the offices of tax assessor, tax collector or license commissioner with approval of a majority of voters in the county affected.

Yeas 22; Nays 0.

Yeas

Messrs.:	Callahan	deGraffenried	Goodwin
Britnell	Cook	Denton	Gulledge

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Hall	Lemaster	Miller	Taylor	
Harrison	Little	Mitchem	Teague (J)	
Higginbotham	Martin	Robertson	White	
Kirkland	McDonald	Smith		—22
Nays:				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state at the same time set by law in Section 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify a list of the signatures of at least one percent of the electors of the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirements of federal, state or local laws.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, AL 36130

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 278 without his signature and approval and with suggested Executive Amendments.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 26th day of April, 1982.

To The Alabama House of Representatives
State Capitol
Montgomery, AL 36130

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 278 without my signature and approval and with the following suggested Executive Amendments:

On page one of the enrolled bill, line 5, after the words "secretary of state" and "or other appropriate official".

On page one of the enrolled bill, on line 8 after the word "electors" delete the word "of" and add "who cast ballots in".

Delete Section 1(a) in its entirety and substitute in lieu thereof the following language:

"1(a) The party shall have filed with the Secretary of State or other appropriate official at the same time set by law in Section 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify a list of the signatures of at least one percent of the qualified electors who cast ballots for the office of Governor in the last general election for the state, county, city, district or other political subdivision in which the political party seeks to qualify candidates for office; and unless".

The adoption of the above and foregoing suggested Executive Amendment will remove my objection to this Bill.

Respectfully, _____,

FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 54, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 68, Nays 0.

And said Bill, H. 278, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Martin, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 278, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Gulledge	Martin	Smith	
Bailey	Harrison	McDonald	Taylor	
Britnell	Higginbotham	Miller	Teague (B)	
deGraffenried	Holmes	Mitchem	Teague (J)	
Denton	Kirkland	Parsons	White	
Goodwin	Little	Robertson		—22

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 278, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Britnell	deGraffenried	Goodwin
Bailey	Cook	Denton	Higginbotham

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Holmes	Miller	Smith	Teague (J)
Kirkland	Mitchem	Taylor	Vacca
Little	Pearson	Teague (B)	White
Martin			—20

Nays: —0

which was a majority of the whole number elected to the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 287. URGING THE COUNTY AND CITY GOVERNING BODIES TO EARMARK AT LEAST 50% OF THE RESULTING INCREASE OF THE PROCEEDS DERIVED FROM H. B. 165 OF THE 1982 REGULAR SESSION TO MONTGOMERY COUNTY BOARD OF EDUCATION.

Also:

S. J. R. 288. COMMENDING REV. GEGRGE COOK, JR. OF BIRMINGHAM, ALABAMA ON BEING NAMED MAN OF THE YEAR.

Also:

S. 102. To provide for a Life and Disability Insurance Guaranty Association so as to avoid financial loss to claimants or policyholders because of the insolvency of an insurer; to provide for definitions; to provide for a Board of Directors and powers and duties of the Association; to provide for powers and duties of the Commissioner; to provide for certain tax exemptions and immunity; and to provide for termination procedures and distribution of funds.

Also:

S. 132. Relating to the Alabama Sunset Law; to continue the existence and functioning of the Plumbers Examining Board as provided in Act No. 529, H. 977, 1949 Regular Session (Acts 1949, p. 827), as amended, with certain modifications; to amend the title and Section 1 of said Act 529 so as to exempt certain counties based on the 1940 federal census.

Also:

S. 275. To amend Section 36-1-4.1, Code of Alabama 1975, which provides for payroll deductions of public employees for certain national health services, so as to include Leukemia Society of America, Alabama Chapter, within the definitions of charitable organizations as used in this section.

Also:

S. 225. To amend Section 2-7-7, Code of Alabama 1975, which Section relates to a payment by the Alabama Agricultural and Industrial Exhibit Commission to the South Alabama State Fair Association for premiums, awards and prizes given at said Fair to exhibitors of cattle, sheep, goats, hogs, agricultural shows or exhibits, fine art shows, exhibits for 4-H Clubs, Future Farmers of America, and Future Homemakers of America, poultry and other types of exhibits so as to remove a limitation of \$10,000.00 which the said Section imposes.

Also:

S. 405. Exempting from the state competitive bid laws purchases and contracts for services made by any state department or agency whose principal business is honorariums and whose annual appropriation from the legislature is less than seventy-five thousand dollars (\$75,000).

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Patton and Roberts:

H. J. R. 430. DESIGNATING ACT NO. 82-328, H. B. 300, OF THE 1982 REGULAR SESSION, "THE CAROTHERS-MARTIN BILL".

WHEREAS, Representative Joe Carothers of Houston County and Senator Charles Martin of Morgan County worked diligently to promote and pass Act No. 82-328, H. B. 300 relating to the Southeast Interstate Low-Level Radioactive Waste Compact; and

WHEREAS, Representative Carothers and Senator Martin realize that this is a subject that is vitally important to all of us; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 82-328, H. B. 300 of the 1982 Regular Session, which as passed both houses, be designated and known as the "Carothers-Martin Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. White, the Rules were suspended and the Resolution, H. J. R. 430, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 153

The Senate proceeded to further consideration of the Bill, H. B. 153. The question was on the amendment proposed by His Excellency, the Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 292. DESIGNATING H. B. 320, & S. B. 236 OF THE 1982 REGULAR SESSION "THE REED-MARTIN BILLS".

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the Bill:

S. 502. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges and fees in court costs in Pike County.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 422. To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 153

The Senate proceeded to further consideration of the Bill, H. B. 153. The question was on the amendment proposed by His Excellency, the Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 68. To amend Title 16, Section 27, sub-section 4 of the Code of Alabama, 1975 so as to lower the number of training session hours required for renewal of school bus driver licenses from six hours to four hours.

Also:

S. 244. To provide that full-time employees and executive officers of the Alabama Vocational Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Association and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the state.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 226. To amend Section 9-17-64, Code of Alabama 1975, which provides for pooling or unitization agreements or amendments to leases to provide for pooling or unitization agreements, so as to provide for further amendments.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 27. To amend Sections 16-8-25 and 16-12-21 of the Code of Alabama 1975 so as to permit school boards to approve vacations during the school year for twelve month employees other than teachers in city and county schools.

Also:

S. 369. To amend Section 3-1-10, Code of Alabama 1975, which provides criminal penalties for the unlawful, wanton, or malicious killing, disabling or injuring of animals or articles of value, of another; to raise the maximum fine to \$1,000.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 153

The Senate proceeded to further consideration of the Bill, H. B. 153. The question was on the amendment proposed by His Excellency, the Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 537. To require that group, or blanket hospital or medical expense insurance policies or hospital or medical service contracts issued for delivery in this State which include mental health services in the terms of the policies or contracts, shall include reimbursement for outpatient services, and inpatient services if requested by the attending physician, rendered by duly qualified psychiatrists and psychologists of this State notwithstanding any provisions of the policies or contracts to the contrary.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 98. To amend Section 11-10-6, Code of Alabama, 1975, relative to the allowable interest rate on loans to county governing bodies in anticipation of the receipt of payments from the United States under the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. Section 1221 et seq.); to delete the provisions for an allowable interest rate on such loans of eight percent per annum.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 153

The Senate proceeded to further consideration of the Bill, H. B. 153. The questions was on the amendment proposed by His Excellency, the Governor.

On motion of Mr. Pearson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 153.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Hall	Miller	Smith
Bailey	Harrison	Mitchem	Taylor
Britnell	Holmes	Parsons	Teague (B)
Callahan	Keener	Pearson	Teague (J)
Denton	Lemaster	Robertson	Vacca
Figures	Martin	St. John	White
Gulledge	McDonald		

—25

Nays:

Messrs.:	Goodwin	Kirkland	Proctor
Cook	Higginbotham	Little	Weeks
deGraffenried	Hilliard		

—9

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 153, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Hall	Miller	Smith	
Bailey	Harrison	Mitchem	Taylor	
Britnell	Holmes	Parsons	Teague (B)	
Callahan	Keener	Pearson	Teague (J)	
Denton	Lemaster	Robertson	Vacca	
Figures	Martin	St. John	White	
Gulledge	McDonald			—25

Nays:

Messrs.:	Goodwin	Kirkland	Proctor	
Cook	Higginbotham	Little	Weeks	
deGraffenried	Hilliard			—9

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 45. To amend Code of Alabama 1975, Section 36-27-16, which relates to the Employees' Retirement System, amending said section so as to provide that any member who has attained age 60, or age 52 in the case of a state policeman, and has previously withdrawn from service may retire upon written application to the board of control setting forth at what time, not less than 30 days, nor more than 90 days subsequent to the execution and filing thereof, he desires to be retired; provided that the said member shall have completed the age and service requirements established by the board of control for eligibility for deferred benefits. To provide that the board of control shall establish said age and service requirements; and that from time to time, said requirements for the minimum years of creditable service shall not be less than 10 years nor more than 25 years.

Also:

S. 158. To amend Section 12-16-9 of the Code of Alabama, 1975, to remove the requirement that the accused and his counsel and also the prosecuting attorney in any noncapital felony case consent in open court before the trial court may permit the jury to separate during the pendency of a trial.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 480. To provide a sixteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 480 without his signature and approval and with suggested Executive Amendments.

Respectfully submitted,
WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 26th day of April, 1982.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill number 480 without my signature and approval and with the following suggested Executive Amendments:

On page one of the enrolled bill, line 1, after the language "To provide a" delete "sixteen" and substitute in lieu thereof "fifteen".

On page one of the enrolled bill, in the second line of Section 1 after the language "to provide a" delete "sixteen" and substitute in lieu thereof "fifteen".

On page one of the enrolled bill, in the fourth line of Section 1, after the language "directs that the aforesaid" delete "sixteen" and substitute in lieu thereof "fifteen".

On page one of the enrolled bill, in line 5 of Section 2, after the language "to grant a" delete "sixteen" and substitute in lieu thereof "fifteen".

On page two of the enrolled bill, in line 1, after subsection (a), delete the word "Sixteen" and substitute in lieu thereof "Fifteen".

On page two of the enrolled bill, in line 6, after subsection (b), delete the word "Sixteen" and substitute in lieu thereof "Fifteen".

On page two of the enrolled bill, in line 9, after the subsection (c), delete the word "Sixteen" and substitute in lieu thereof "Fifteen".

The adoption of the above and foregoing suggested Executive Amendment will remove my objection to this Bill.

Respectfully,
FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 91, Nays 2.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 90, Nays 0.

And said Bill, H. 480, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Pearson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 480, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 29; Nays 5.

Yeas:

Messrs.:	Gulledge	Martin	St. John
Bailey	Hall	McDonald	Smith
Britnell	Harrison	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
deGraffenried	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Vacca
Figures	Lemaster	Robertson	White
Goodwin	Little		

—29

Nays: Messrs.: Cook, Higginbotham, Hilliard, Proctor and Weeks. —5

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 480, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 31; Nays 3.

Yeas:

Messrs.:	Goodwin	Lemaster	Robertson
Bailey	Gulledge	Little	St. John
Britnell	Hall	Martin	Smith
Callahan	Harrison	McDonald	Taylor
Cook	Hilliard	Miller	Teague (B)
deGraffenried	Holmes	Mitchem	Teague (J)
Denton	Keener	Parsons	Vacca
Figures	Kirkland	Pearson	White

—31

Nays: Messrs.: Higginbotham, Proctor and Weeks. —3

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 151. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Substitute Message from the Governor returning House Bill No. 151 as amended without the Governor's signature and approval.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 26th day of April, 1982.

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 151 as substituted and amended, without my signature and approval and with the following suggested Executive Amendment:

Deleting Sections 2-A, 2-B, 2-C, and Section 2-D-4 lines 10 through 23 in their entirety inserting in lieu thereof the following new Sections 2-A, 2-B, and 2-C:

2A. Legislative:

1. Examiners of Public Accounts,
Department of:

(a) Legislative Support-Audit Services Program 3,607,234

SOURCE OF FUNDS:

(1) State General Fund	3,607,234	
Total Department of Examiners of Public Accounts	3,607,234	3,607,234

In addition to the above appropriation, there is hereby appropriated \$1,550,000 to the Department of Examiners of Public

Accounts to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

2. Legislative Council:

(a) Legislative Operations and Support Program	130,000
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(For Operations of the Council including out-of-state travel by Council members and members of the Legislature authorized to attend Legislative conference by joint resolution of the Legislature.)

SOURCE OF FUNDS:

(1) State General Fund	<u>130,000</u>	
Total Legislative Council	<u>130,000</u>	<u>130,000</u>

3. Legislative Fiscal Office:

(a) Legislative Operations and Support Program	446,676
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SOURCE OF FUNDS:

(1) State General Fund	<u>446,676</u>	
Total Legislative Fiscal Office ...	<u>446,676</u>	<u>446,676</u>

4. Legislative Reference Service:

(a) Legislative Operations and Support Program	793,662
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The appropriation to the Legislative Reference Service shall include a transfer to the State Personnel Department of \$1,118.

SOURCE OF FUNDS:

(1) State General Fund	<u>793,662</u>	
Total Legislative Reference Service	<u>793,662</u>	<u>793,662</u>

5. Legislature:

(a) Senate Operations and Support Program	1,214,495
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(b) House Operations and Support Program	1,821,743
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SOURCE OF FUNDS:

(1) State General Fund	<u>3,036,238</u>	
Total Legislature	<u>3,036,238</u>	<u>3,036,238</u>

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6. Legislatures, National Conference of State:

(a) Legislative Operations and Support Program 54,365

SOURCE OF FUNDS:

(1) State General Fund 54,365

Total National Conference of State Legislatures 54,365 54,365

B. JUDICIAL:

1. Court of Civil Appeals:

(a) Court Operations Program .. 751,613

SOURCE OF FUNDS:

(1) State General Fund 751,613

Total Court of Civil Appeals 751,613 751,613

In addition to the above appropriation, there is hereby appropriated \$23,208 to the Court of Civil Appeals to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

2. Court of Criminal Appeals:

(a) Court Operations Program .. 1,109,765

SOURCE OF FUNDS:

(1) State General Fund 1,109,765

Total Court of Criminal Appeals . 1,109,765 1,109,765

In addition to the above appropriation, there is hereby appropriated \$31,328 to the Court of Criminal Appeals to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

3. Judicial Inquiry Commission:

(a) Administrative Services Program 73,511

SOURCE OF FUNDS:

(1) State General Fund 73,511

Total Judicial Inquiry Commission 73,511 73,511

4. Judicial Retirement System:

(a) Retirement Systems Program 1,053,000

SOURCE OF FUNDS:

(1) State General Fund	<u>1,053,000</u>	
Total Judicial Retirement System	<u>1,053,000</u>	<u>1,053,000</u>

5. Supreme Court:

(a) Court Operations Program ..		2,972,000
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SOURCE OF FUNDS:

(1) State General Fund	2,958,000		
(2) Federal, Local and Miscellaneous Funds		<u>14,000</u>	
Total Supreme Court	<u>2,958,000</u>	<u>14,000</u>	<u>2,972,000</u>

In addition to the above appropriation there is hereby appropriated \$55,105 to the Supreme Court to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

6. Unified Judicial System:

(Administrative Office of Courts)

(a) Court Operations Program ..		42,980,608
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(b) Administrative Services Program		3,567,259
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SOURCE OF FUNDS:

(1) State General Fund	<u>46,547,867</u>		
Total Unified Judicial System ...	<u>46,547,867</u>	<u>46,547,867</u>	•

In addition to the above appropriation, there is hereby appropriated \$2,174,632 to the Unified Judicial System to be conditioned on the availability of funds in the State General Fund and upon approval of the Governor.

C. EXECUTIVE:

1. Academy of Honor, Alabama:

(a) Historical Resources Management Program		1,000
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SOURCE OF FUNDS:

(1) State General Fund as provided in Title 41, Chapter 11, Section 6, 1975 Code of Alabama	<u>1,000</u>		
Total Alabama Academy of Honor	<u>1,000</u>	<u>1,000</u>	

2. Accountancy, Alabama State Board of Public:

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(a) Professional and Occupational Licensing and Regulation Pro- gram	187,000
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SOURCE OF FUNDS:

(1) Alabama State Board of Public Accountancy Fund	187,000
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As provided in Title 34, Chapter 1,
Section 22, 1975 Code of Ala-
bama.

In addition to the amounts appro-
priated hereinabove to the State
Board of Public Accountancy,
there is hereby appropriated
such an amount as may be neces-
sary to pay the refund of any ap-
plication for license which may
have been rejected by the Board
of withdrawn by request of
applicant.

Total Alabama State Board of Pub- lic Accountancy.	<u>187,000</u>	<u>187,000</u>
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3. Adjustment, Board of:

(a) Special Services Program	165,000
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SOURCE OF FUNDS:

(1) State General Fund for the General Fund Contribution to the total expenditure of \$350,000 pursuant to Title 41, Chapter 9, Section 73, 1975 Code of Ala- bama	15,000
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(2) State General Fund for expen- ditures as provided in Title 31, Chapter 3 and Title 36, Chapter 30, Article 1, 1975 Code of Ala- bama, Estimated	<u>150,000</u>
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Total Board of Adjustment	165,000	165,000
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4. Aeronautics, Department of:

(a) Airport Development and Aeronautical Support Program	625,387
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The appropriation to the Depart-
ment of Aeronautics shall in-
clude a transfer to the State Per-
sonnel Department of \$266.

SOURCE OF FUNDS:

(1) Airport Development Fund ..	625,387
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As provided by Title 4, Chapter 2,
Section 42, 1975 Code of Ala-
bama.

Total Department of Aeronautics	625,387	625,387
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5. Aging, Commission:

(a) Planning and Advocacy for Elderly Program	13,474,131
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The appropriation to the Commission on Aging shall include a transfer to the State Personnel Department of \$852.

(b) Retired Senior Volunteer Program	339,000
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In addition to the programs currently funded by the funds allocated to the Retired Senior Citizens Volunteer Programs, the following programs will receive the same pro rata share of the total appropriation as received by the Retired Senior Citizens Volunteer Programs: Foster Grandparent Program-Decatur; Foster Grandparent Program-Birmingham; Foster Grandparent Program-Russellville; Foster Grandparent Program-Mobile; and the Senior Companion Program-Mobile.

SOURCE OF FUNDS:

(1) State General Fund Transfer	1,116,748		
(2) Federal, Local and Misc. Funds		12,696,383	
Total Commission on Aging	1,116,748	12,696,383	13,813,131

6. Agricultural Center Board:

(a) Agricultural Development Services Program	575,193
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The appropriation to the Agricultural Center Board shall include a transfer to the State Personnel Department of \$692.

SOURCE OF FUNDS:

(1) State General Fund	120,000		
For expense and awarding of prizes for fairs as provided in Title 2, Chapter 7, Article 2, 1975 Code of Alabama.			
(2) State General Fund Transfer	306,993		
(3) Livestock Coliseum Fund		148,200	
Total Agricultural Center Board .	426,993	148,200	575,193

7. Agricultural and Industrial Exhibit Commission, Alabama:

(a) Agricultural Development Services Program	31,428
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SOURCE OF FUNDS:

(1) State General Fund	31,428		
Total Alabama Agricultural and Industrial Exhibit Commission	31,428		31,428

8. Agriculture and Industries, Department of:

(a) Administrative Services Program	1,128,930
(b) Agricultural Inspection Services Program	10,079,028
(c) Laboratory Analysis and Disease Control Program	3,411,596
(d) Agricultural Development Services Programs	634,426

The appropriation to the Department of Agriculture and Industries shall include a transfer to the State Personnel Department of \$22,897.

SOURCE OF FUNDS:

(1) State General Fund Transfer	6,779,130
(2) Federal, Local and Miscellaneous Funds	2,167,180
(3) Shipping Point Inspection Fund	4,207,020

Pursuant to Title 2, Chapter 9, Sections 20 and 21, 1975 Code of Alabama. All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said Fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(4) Agricultural Fund	2,100,650		
Total Department of Agriculture and Industries	6,779,130	8,474,850	15,253,980

In addition to the above appropriation there is hereby appropriated \$2,000,000 to the Department of Agriculture and Industries for Capital Outlay for the Farmer's Market in Montgomery to be conditional upon the availability of funds in the State General

Fund and upon the approval of the Governor.

9. Alcoholic Beverage Control Board, Alabama:

(a) Alcoholic Beverage Management Program	26,536,720
(b) Licensing, Regulation and Enforcement Program	5,742,662
(c) Administrative Services Program	4,090,728

The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the State Personnel Department of \$61,344, and to Mental Health of \$1,000,000.

SOURCE OF FUNDS:

(1) ABC Board Fund	36,370,110
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

Total Alabama Alcoholic Beverage Control Board	<u>36,370,110</u>	<u>36,370,110</u>
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10. Architects, Board for Registration of:

(a) Professional and Occupational Licensing and Regulation Program	111,300
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The appropriation to the Board for Registration of Architects shall

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include a transfer to the State
Personnel Department of \$106.

SOURCE OF FUNDS:

(1) Fund of the Board for Registration of Architects, as provided in Title 34, Chapter 2, Section 23, Code of Alabama 1975.	111,300		
Total Board for Registration of Architects	<u>111,300</u>		<u>111,300</u>

11. Archives and History:

(a) Historical Resources Management Program			1,018,591
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SOURCE OF FUNDS:

(1) State General Fund	1,003,591		
(2) Federal, Local and Miscellaneous Funds		<u>15,000</u>	
Total Archives and History	<u>1,003,591</u>	<u>15,000</u>	<u>1,018,591</u>

12. Attorney General, Office of the:

(a) Legal Advice and Legal Service Program			4,830,052
(b) Fair Marketing Practices Program			380,363

SOURCE OF FUNDS:

(1) State General Fund	3,897,484		
(2) Transfer from Pensions and Security		622,609	
(3) Federal, Local and Miscellaneous Funds		<u>690,322</u>	
Total Office of the Attorney General	<u>3,897,484</u>	<u>1,312,931</u>	<u>5,210,415</u>

In addition to the above appropriation, there is hereby appropriated \$14,136 to the Attorney General's Office to be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.

13. Auditor, State:

(a) Fiscal Management Program			755,890
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SOURCE OF FUNDS:

(1) State General Fund	<u>755,890</u>		
Total State Auditor	<u>755,890</u>		<u>755,890</u>

14. Banking Department, State:

- (a) Charter, License, and Regulate
-
- Financial Institutions Program

2,156,850

The appropriation to the State
Banking Department shall in-
clude a transfer to the State Per-
sonnel Department of \$2,449.

SOURCE OF FUNDS:

- (1) Banking Assessment Fees ... 1,682,338

As provided in Title 5, Chapter 1,
Section 5, 1975 Code of Alabama.

- (2) Bureau of Credit Unions 197,267

As provided in Title 5, Chapter 2,
Article 5, Divisions 1 and 2, 1975
Code of Alabama.

- (3) Loan Examinations Fund 277,245

As provided in Title 5, Chapter 18,
Sections 1-24, 1975 Code of Ala-
bama.

Total State Banking Department	<u>2,156,850</u>	<u>2,156,850</u>
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15. Bar Association, Alabama
State:

- (a) Professional and Occupational
-
- Licensing and Regulation Pro-
-
- gram

716,385

SOURCE OF FUNDS:

- (1) State Bar Association Fund, as
-
- provided in Title 34, Chapter 3,
-
- 1975 Code of Alabama
- 716,385

Total Alabama State Bar Associa- tion	<u>716,385</u>	<u>716,385</u>
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16. Bear Creek Development Au-
thority:

- (a) Water Resource Development
-
- Program

192,918

SOURCE OF FUNDS:

- (1) State General Fund 26,093

- (2) Federal, Local and Miscellane-
-
- ous Funds
- 166,825

Total Bear Creek Development Au- thority	<u>26,093</u>	<u>166,825</u>	<u>192,918</u>
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17. Brierfield Ironworks Park:

- (a) Outdoor Recreation Sites and
-
- Services Program

102,597

SOURCE OF FUNDS:

- (1) State General Fund 25,000

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(2) Federal, Local and Miscellaneous Funds		<u>77,597</u>	
Total Brierfield Ironworks Park ..	25,000	<u>77,597</u>	<u>102,597</u>

18. Building Commission:

(a) Special Services Program			840,475
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The appropriation to the Building Commission shall include a transfer to the State Personnel Department of \$373.

SOURCE OF FUNDS:

(1) State General Fund	246,273		
(2) Federal, Local and Miscellaneous Funds		<u>594,202</u>	
Total Building Commission	<u>246,273</u>	<u>594,202</u>	<u>840,475</u>

19. Cahaba-Advisory Committee:

(a) Historical Resources Management Program			25,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>25,000</u>		
Total Cahaba Advisory Committee	<u>25,000</u>		<u>25,000</u>

In addition to the above appropriation there is hereby appropriated \$250,000 to the Cahaba-Advisory Committee for capital outlay to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

20. Chiropractic Examiners, Alabama State Board of:

(a) Professional and Occupational Licensing and Regulation Program			31,500
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SOURCE OF FUNDS:

(1) Alabama State Board of Chiropractic Examiner's Fund as provided in Title 34, Chapter 24, Article 4, Divisions 1, 2 and 3, 1975 Code of Alabama		<u>31,500</u>	
Total Alabama State Board of Chiropractic Examiners		<u>31,500</u>	<u>31,500</u>

21. Civil Defense, Department of:

(a) Readiness and Recovery Program			2,363,377
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The appropriation to the Department of Civil Defense shall

include a transfer to the State
Personnel Department of \$1,438.

SOURCE OF FUNDS:

(1) State General Fund	564,730		
(2) Federal, Local and Miscellaneous Funds		<u>1,798,647</u>	
Total Department of Civil Defense	<u>564,730</u>	<u>1,798,647</u>	<u>2,363,377</u>

22. Coastal Area Board, Alabama:

(a) Coastal Area Management Program			704,500
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The appropriation to the Alabama
Coastal Area Board shall include
a transfer to the State Personnel
Department of \$373.

SOURCE OF FUNDS:

(1) State General Fund Transfer	48,500		
(2) Federal, Local and Miscellaneous Funds		<u>656,000</u>	
Total Alabama Coastal Area Board	<u>48,500</u>	<u>656,000</u>	<u>704,500</u>

23. Conservation and Natural Resources, Department of:

(a) Wildlife and Game Program .			11,626,346
(b) State Land Management Program			543,872
(c) Outdoor Recreation Sites and Services Program			13,066,850
(d) Administrative Services Program			2,184,694
(e) Marine Police Management Program			1,698,955
(f) Marine Resources Management Program			1,301,507

The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operating expenses.

The appropriation to the Department of Conservation and Natural Resources shall include a transfer to the State Personnel Department of \$29,926.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	2,081,290		
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(2) Game and Fish Fund	11,533,496
(3) State Lands Fund	544,206

The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.

(4) Marine Resources Fund	1,302,308
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In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division Programs or projects which he deems appropriate.

(5) Marine Police Fund	1,700,000
(6) State Parks Fund	10,674,886

The appropriation to the Department of Conservation and Natural Resources shall include such funds as are necessary for the maintenance, staff and repair of the Governor's official beach mansion.

(7) Administrative Funds	2,186,038
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The funds hereinabove appropriated shall be payable as provided in Title 9, Chapter 2, Section 1, 1975 Code of Alabama.

(8) Cigarette Tax	<u>400,000</u>
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Total Department of Conservation and Natural Resources	<u>2,081,290</u>	<u>28,340,934</u>	<u>30,422,224</u>
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In addition to the above appropriation there is hereby appropriated \$2,160,642 to Frank Jackson Park to be conditional upon the availability of funds in the State General Fund and upon approval of the Governor.

In addition to the above appropriation there is hereby appropriated \$500,000 for the purchase and development of Camp Cosby property for a state park in Jefferson County to be conditional upon the availability of funds in the State General Fund and upon approval of the Governor.

24. Contractors, State Licensing Board for General:

(a) Professional and Occupational Licensing and Regulation Program	228,902
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The appropriation to the State Licensing Board for General Contractors shall include a transfer to the State Personnel Department of \$319.

SOURCE OF FUNDS:

(1) State Licensing Board for General Contractors Fund	228,902
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Pursuant to Title 34, Chapter 8, 1975 Code of Alabama. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

Total State Licensing Board for General Contractors	228,902	228,902
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25. Corrections, Board of:

(a) Administrative Services and Logistical Support Program ...	10,272,138
(b) Institutional Services Corrections Program	60,987,138
(c) Correctional Industries Program	6,836,131

The appropriation to the Board of Corrections shall include a transfer to the State Personnel Department of \$68,053.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	72,627,357
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(2) Federal, Local and Miscellaneous Funds	1,968,050
(3) Board of Corrections Fund ...	3,500,000

The Commissioner of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Board of Corrections. Any such grant funds so generated and in direct support of the Board of Corrections' operations are also hereby appropriated.

Total Board of Corrections	<u>72,627,357</u>	<u>5,468,050</u>	<u>78,095,407</u>
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In addition to the above appropriation there is hereby appropriated \$5,423,866 to the Board of Corrections to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

26. Cosmetology, Alabama Board of:

(a) Professional and Occupational Licensing and Regulation Program	384,500
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The appropriation to the Alabama Board of Cosmetology shall include a transfer to the State Personnel Department of \$479.

SOURCE OF FUNDS:

(1) Alabama Board of Cosmetology Fund	384,500
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As provided in Title 34, Chapter 7, 1975 Code of Alabama.

Total Alabama Board of Cosmetology	<u>384,500</u>	<u>384,500</u>
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27. Counseling, Alabama Board of Examiners in:

(a) Professional and Occupational Licensing and Regulation Program	22,000
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners in Counseling Fund	22,000
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As provided in Title 34, Chapter 8A, 1975 Code of Alabama.

Total Alabama Board of Examiners in Counseling	22,000	22,000
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28. Criminal Justice Information System, Alabama:

(a) Criminal Justice Information Services Program		2,769,292
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The appropriation to the Alabama Criminal Justice Information System shall include a transfer to the State Personnel Department of \$2,662.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	2,285,692		
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(2) Federal, Local and Miscellaneous Funds		483,600	
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Total Alabama Criminal Justice Information System	2,285,692	483,600	2,769,292
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29. Dairy Commission, Alabama:

(a) Regulatory Services Program		369,400
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The appropriation to the Alabama Dairy Commission shall include a transfer to the State Personnel Department of \$532.

SOURCE OF FUNDS:

(1) Alabama Dairy Commission Fund	369,400
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As provided in Title 2, Chapter 13, 1975 Code of Alabama.

Total Alabama Dairy Commission	369,400	369,400
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30. Development Office, Alabama:

(a) Industrial Development Program	2,551,324
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(b) Administrative Services Program-Office of Minority Business	160,089
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(c) Alabama Film Commission-Promotional Development Program	219,327
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The appropriation to the Alabama Development Office shall include a transfer to the State Personnel Department of \$1,757.

SOURCE OF FUNDS:

(1) State General Fund-Transfer Alabama Development Office ..	2,501,324
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(2) State General Fund-Transfer Office of Minority Business ...	99,694		
(3) State General Fund-Transfer Alabama Film Commission ...		219,327	
(4) Federal, Local and Miscellaneous Funds		<u>110,395</u>	
Total Alabama Development Office	<u>2,820,345</u>	<u>110,395</u>	<u>2,930,740</u>
31. District Attorneys:			
(a) Court Operations Program ..			8,090,712
The proposed spending plan included in the above total is as follows:			
Salaries of District Attorneys	1,592,903		
Salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	39,651		
For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit	100,251		
Salaries and expenses of Supernumerary District Attorneys	675,503		
For use in the District Attorney's Office of the 1st Judicial Circuit	86,459		
For use in the District Attorney's Office of the 2nd Judicial Circuit	73,891		
For use in the District Attorney's Office of the 3rd Judicial Circuit	116,313		
For use in the District Attorney's Office of the 4th Judicial Circuit	326,208		
For use in the District Attorney's Office of the 5th Judicial Circuit	271,990		
For use in the District Attorney's Office of the 6th Judicial Circuit	237,527		
For use in the District Attorney's Office of the 7th Judicial Circuit	141,259		

For the use in the District Attorney's Office of the 8th Judicial Circuit 113,542

For use in the District Attorney's Office of the 9th Judicial Circuit 107,538

For use in the District Attorney's Office of the 10th Judicial Circuit 364,769

For use in the District Attorney's Office of the 11th Judicial Circuit 93,424

For use in the District Attorney's Office of the 12th Judicial Circuit 199,282

For use in the District Attorney's Office of the 13th Judicial Circuit 350,404

For use in the District Attorney's Office of the 14th Judicial Circuit 98,415

For use in the District Attorney's Office of the 15th Judicial Circuit 347,587

For use in the District Attorney's Office of the 16th Judicial Circuit 158,208

For use in the District Attorney's Office of the 17th Judicial Circuit 60,007

For use in the District Attorney's Office of the 18th Judicial Circuit 174,985

For use in the District Attorney's Office of the 19th Judicial Circuit 103,886

For use in the District Attorney's Office of the 20th Judicial Circuit 152,258

For use in the District Attorney's Office of the 21st Judicial Circuit 116,047

For use in the District Attorney's Office of the 22nd Judicial Circuit 98,500

For use in the District Attorney's Office of the 23rd Judicial Circuit 255,215

For use in the District Attorney's Office of the 24th Judicial Cir- cuit	92,304
For use in the District Attorney's Office of the 25th Judicial Cir- cuit	87,683
For use in the District Attorney's Office of the 26th Judicial Cir- cuit	154,781
For use in the District Attorney's Office of the 27th Judicial Cir- cuit	117,488
For use in the District Attorney's Office of the 28th Judicial Cir- cuit	113,248
For use in the District Attorney's Office of the 29th Judicial Cir- cuit	148,426
For use in the District Attorney's Office of the 30th Judicial Cir- cuit	149,389
For use in the District Attorney's Office of the 31st Judicial Cir- cuit	90,535
For use in the District Attorney's Office of the 32nd Judicial Cir- cuit	89,261
For use in the District Attorney's Office of the 33rd Judicial Cir- cuit	83,865
For use in the District Attorney's Office of the 34th Judicial Cir- cuit	44,864
For use in the District Attorney's Office of the 35th Judicial Cir- cuit	60,891
For use in the District Attorney's Office of the 36th Judicial Cir- cuit	74,353
For use in the District Attorney's Office of the 37th Judicial Cir- cuit	99,293
For use in the District Attorney's Office of the 38th Judicial Cir- cuit	112,805
For use in the District Attorney's Office of the 39th Judicial Cir- cuit	40,504

Appropriations of Salaries of Personnel Established by Statute are estimated.

Travel Expense of District Attorneys75,000
8,090,712

SOURCE OF FUNDS:

(1) State General Fund	8,090,712	
Total District Attorneys	8,090,712	8,090,712

In addition to the above appropriation, there is hereby appropriated \$458,408 to the District Attorneys to be conditioned on the availability of funds in the State General Fund and upon approval of the Governor.

32. Energy, Department of:

(a) Energy Management Program	6,023,215
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The appropriation to the Department of Energy shall include a transfer to the State Personnel Department of \$1,438.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	623,215	
(2) Federal, Local and Miscellaneous Funds		5,400,000
Total Department of Energy	623,215	5,400,000
		6,023,215

33. Engineers and Land Surveyors, State Board of Registration for Professional:

(a) Professional and Occupational Licensing and Regulation Program	251,229
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The appropriation to the State Board of Registration for Professional Engineers and Land Surveyors shall include a transfer to the State Personnel Department of \$266.

SOURCE OF FUNDS:

(1) Professional Engineers' Fund	251,229
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As provided in Title 34, Chapter 11, 1975 Code of Alabama as amended and Act No. 1049, 1975 Regular Session.

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Total State Board of Registration for Professional Engineers and Land Surveyors	251,229	251,229
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34. Ethics Commission, Alabama:

(a) Regulation of Public Officials and Employees Program		231,103
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SOURCE OF FUNDS:

(1) State General Fund	231,103	
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Total Alabama Ethics Commission	231,103	231,103
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35. Farmers' Market Authority:

(a) Agricultural Development Services Program		165,786
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SOURCE OF FUNDS:

(1) State General Fund-Transfer for Administration	85,786	
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(2) Farmers' Market Authority Fund-Revenue and Capital Out- lay Account	80,000	
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Total Farmers' Market Authority	85,786	165,786
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In addition to the above appropria-
tion there is hereby appropriated
\$250,000 to the Farmers' Market
Authority for Capital Outlay and
\$150,000 to the Perry County
Farmers' Market Authority for
Capital Outlay both to be condi-
tional upon the availability of
funds in the State General Fund
and upon the approval of the
Governor.

36. Finance, Department of:

(a) Fiscal Management Program		2,737,655
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(b) Administrative Support Ser- vices Program		4,292,218
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SOURCE OF FUNDS:

(1) State General Fund	7,029,873	
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Total Department of Finance	7,029,873	7,029,873
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In addition to the above appropria-
tion to the Department of Fi-
nance, there is hereby appropri-
ated \$1,000,000 to be conditioned
upon the availability of funds in
the State General Fund and the
approval of the Governor.

37. Finance, Department of-Air
Transportation Division:(a) Administrative Support Ser-
vices Program 2,045,517

SOURCE OF FUNDS:

(1) State General Fund-Transfer	1,995,209		
(2) Departmental Receipts		<u>50,308</u>	
Total Department of Finance-Air Transportation Division	<u>1,995,209</u>	<u>50,308</u>	<u>2,045,517</u>

38. Forensic Sciences, Department
of:(a) Forensic Sciences Services
Program 3,859,571

The appropriation to the Alabama
Department of Forensic Sciences
shall include a transfer to the
State Personnel Department of
\$4,260.

SOURCE OF FUNDS:

(1) State General Fund	3,809,071		
(2) Federal, Local and Miscellane- ous Funds		<u>50,500</u>	
Total Department of Forensic Sci- ences	<u>3,809,071</u>	<u>50,500</u>	<u>3,859,571</u>

In addition to the above appropria-
tion there is hereby appropriated
\$350,000 to the Department of
Forensic Sciences to be condi-
tional upon the availability of
funds in the State General Fund
and upon the approval of the
Governor.

39. Foresters, Alabama State
Board of Registration For:(a) Professional and Occupational
Licensing and Regulation Pro-
gram 17,900

SOURCE OF FUNDS:

(1) Professional Foresters' Fund .	17,900		
As provided in Title 34, Chapter 12, 1975 Code of Alabama.			
Total Alabama State Board of Reg- istration for Foresters		<u>17,900</u>	<u>17,900</u>

40. Forestry Commission, Ala-
bama:

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(a) Forest Resource Protection Program	9,970,088
(b) Forest Resource Management and Development Program	2,117,804
(c) Education and Information Program	510,911
(d) Administrative Services Program	1,724,797

The appropriation to the Alabama Forestry Commission shall include a transfer to the State Personnel Department of \$24,495.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	8,653,290	
(2) Federal and Local Funds		2,300,700
(3) Forestry Commission Fund ..		3,369,610

It is provided that in the event receipts into the Forestry Commission Funds relating to federal grants, county appropriations, seedling price increases, contributions, and inter-department transfers exceed amounts originally appropriated for these sources of funds such excess receipts are hereby appropriated.

Of the above appropriation \$400,000 shall be used for rural and community fire protection.

Total Alabama Forestry Commission	<u>8,653,290</u>	<u>5,670,310</u>	<u>14,323,600</u>
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In addition to the above appropriation there is hereby appropriated \$2,000,000 to the Alabama Forestry Commission to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor. Of such conditional appropriation released, twenty-five percent (25%) shall be expended by the Alabama Forestry Commission for Rural and Community Fire Protection.

41. Fort Morgan-Alabama Historical Commission:

(a) Historical Resources Management Program	624,633
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SOURCE OF FUNDS:

(1) State General Fund	124,633		
(2) Federal, Local and Misc. Funds		<u>500,000</u>	
Total Alabama Historical Commission-Fort Morgan	<u>124,633</u>	<u>500,000</u>	<u>624,633</u>

In addition to the above appropriation there is hereby appropriated \$500,000 to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

42. Funeral Service, Alabama Board of:

(a) Professional and Occupational Licensing and Regulation Program			91,500
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SOURCE OF FUNDS:

(1) AL Funeral Directors & Embalmers Fund		91,500	
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As provided in Title 34, Chapter 13, 1975 Code of Alabama.

Total Alabama Board of Funeral Service		<u>91,500</u>	<u>91,500</u>
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43. Geological Survey:

(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			2,499,172
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The appropriation to the Geological Survey shall include a transfer to the State Personnel Department of \$3,940.

SOURCE OF FUNDS:

(1) State General Fund	1,379,018		
(2) Federal, Local and Misc. Funds		<u>1,120,154</u>	
Total Geological Survey	<u>1,379,018</u>	<u>1,120,154</u>	<u>2,499,172</u>

44. Gorgas Memorial Board:

(a) Historical Resources Management Program			11,200
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SOURCE OF FUNDS:

(1) State General Fund	9,700		
As provided in Title 41, Chapter 9, Section 220, 1975 Code of Alabama and an additional amount.			
(2) Federal, Local and Miscellaneous Funds		<u>1,500</u>	

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Total Gorgas Memorial Board ...	9,700	1,500	11,200
45. Governor's Office:			
(a) Executive Direction Program			1,366,956
SOURCE OF FUNDS:			
(1) State General Fund	1,366,956		
Total Governor's Office	1,366,956		1,366,956
46. Governor's Office-Legal:			
(a) Executive Direction Program			120,000
SOURCE OF FUNDS:			
(1) State General Fund	120,000		
Total Governor's Office-Legal ...	120,000		120,000
47. Governor's Contingency Fund:			
(a) Executive Direction Program			352,200
SOURCE OF FUNDS:			
(1) State General Fund	352,200		
Total Governor's Contingency Fund	352,200		352,200
48. Governor's Mansion:			
(a) Executive Direction Program			208,053
SOURCE OF FUNDS:			
(1) State General Fund	208,053		
Total Governor's Mansion	208,053		208,053
49. Governor's Mansion Advisory Board:			
(a) Executive Direction Program			10,000
SOURCE OF FUNDS:			
(1) State General Fund	10,000		
Total Governor's Mansion Advisory Bd	10,000		10,000
50. Health, Department of Public:			
(a) Administrative Services Program			3,866,878
(b) Health Support Services Program			37,895,753
Of this amount, \$7,738,688 shall go to the local health departments with each of the 67 departments receiving a base of \$40,000 and the remaining amount distributed equally on a per capita basis, based on the 1980 census.			

(c) Personal Health Improvement Program	35,998,902
(d) Environmental Health Improvement Program	8,823,229
(e) Special Services Program	2,751,975
(f) Health Planning, Development and Regulation Program	1,478,111
(g) University of Alabama in Birmingham Biomedical Sciences Program	325,000

The appropriation to the Department of Public Health shall include a transfer to the State Personnel Department of \$102,932.

SOURCE OF FUNDS:

(1) State General Fund	20,290,276	
(2) Cigarette Tax-\$.01		1,900,000
As provided in Title 40, Chapter 25, Sections 2 and 23, 1975 Code of Alabama.		
(3) Cigarette Tax-\$.02		2,200,000
As provided in Title 40, Chapter 25, Sections 2 and 23, 1975 Code of Alabama.		
(4) Vital Statistics Fund	1,049,749	
(5) Hospital Licensing Fund	205,700	
(6) Emergency Medical Services Fund		30,000
As provided in Title 22, Chapter 18, Sections 1 through 7, 1975 Code of Alabama		
(7) Local Health Departments ...	24,951,684	
(8) Air Pollution Fines	30,000	
(9) Nuclear Monitoring Fund ...	20,000	
(10) Miscellaneous Funds	2,936,438	
(11) Federal Funds	37,526,001	
Total Department of Public Health	<u>20,290,276</u>	<u>70,849,572</u> <u>91,139,848</u>

In addition to the above appropriation there is hereby appropriated \$215,000 to the Department of Public Health for the Mobile Branch Laboratory and \$38,000 to the State Virology Laboratory in Jefferson County located at the University of Alabama Medical Center and \$55,000 to the Department of Public Health for Phenylketonuria Children Program (PKU) to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

In addition to the above appropriation to the Depart. of Public Health, there is hereby appropriated \$1,000,000 to the Personal Health Improvement Program for maternal and child health care to be conditioned upon the availability of funds in the State General Fund and upon approval of the Governor.

51. Health Planning and Development Agency, State:

(a) Health Planning, Development and Regulation Program	952,739
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The appropriation to State Health Planning and Development Agency shall include a transfer to the State Personnel Department of \$1,384.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	277,210		
(2) Federal, Local and Misc. Funds		675,529	
Total State Health Planning and Development Agency	277,210	675,529	952,739

52. Hearing Aid Dealers, Alabama Board of:

(a) Professional and Occupational Licensing and Regulation Program	23,000
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SOURCE OF FUNDS:

(1) State Board of Health-Hearing Aid Fund	23,000
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As provided in Title 34, Chapter 14, Articles 1 and 2, 1975 Code of Alabama.

Total Alabama Board of Hearing Aid Dealers	23,000	23,000
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53. Highway Department:

(a) Central Administration Program	7,693,436
(b) Division and District Supervision Program	14,686,325
(c) Operations and Support Services Program	6,050,711
(d) Maintenance Program	65,804,608
(e) Non-Programmatic Expenditures	95,157,645

Proposed Spending Plan for the above (e) includes the following:

Debt Service	94,786,663
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Equipment-Other than Automotive	370,982	
(f) Construction-Federal Aid Program		214,609,000
Proposed Spending Plan for the above (f) includes the following:		
Federal Aid Matching	31,041,000	
Non-Participating Work on Federal Aid Projects	1,000,000	
Federal Aid	182,568,000	
(g) Construction-State Program ..		4,434,907
(h) Operations-Land and Buildings		706,800
The appropriation to the Highway Department shall include a transfer to the State Personnel Department of \$183,819.		

SOURCE OF FUNDS:

(1) State General Fund-Transfer	75,000
(2) Public Road and Bridge Fund	176,470,432
(3) Federal Aid	232,598,000

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Highway Finance Corporation, a total of \$94,786,663 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.

The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among subsections, (a), (b), (c), (d), (e), (f), (g), (h) of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable: In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in section (e) hereof shall be paid in full—

(2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purpose referred to in Sections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Sections in such order and with such priorities as the State Highway Director shall from time to time direct.

The funds appropriated in section (f) hereof, for the matching Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made.

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In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available. Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, Lieutenant Governor, and each member of the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

Total Highway Department	75,000	409,068,432	409,143,432
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54. Highway and Traffic Safety,
Office of:

(a) Traffic Control and Accident Prevention Program			2,349,278
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The appropriation to the Office of Highway and Traffic Safety shall include a transfer to the State Personnel Department of \$532.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	63,974		
(2) Federal Funds		2,285,304	
Total Office of Highway and Traffic Safety	63,974	2,285,304	2,349,278

55. Historic Chattahoochee Com-
mission:

(a) Historical Resources Manage- ment Program			119,305
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SOURCE OF FUNDS:

(1) State General Fund-Transfer	70,505		
(2) Federal, Local and Miscellane- ous Funds		48,800	
Total Historic Chattahoochee Commission	70,505	48,800	119,305

56. Historical Commission, Ala-
bama:

(a) Historical Resources Manage- ment Program			1,489,703
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The appropriation to the Alabama Historical Commission shall include a transfer to the State Personnel Department of \$1,704.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	434,807		
(2) Federal, Local and Miscellane- ous Funds		1,054,896	

Total Alabama Historical Commission	<u>434,807</u>	<u>1,054,896</u>	<u>1,489,703</u>
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57. Industrial Relations, Department of:

(a) Skills Enhancement and Employment Opportunities Program			16,015,336
(b) Unemployment Compensation Program			26,531,551
(c) Administrative Services Program			7,431,843
(d) Industrial Safety and Accident Prevention Program			5,574,162

The appropriation to the Department of Industrial Relations shall include a transfer to the State Personnel Department of \$105,328.

SOURCE OF FUNDS:

(1) State General Fund	869,849		
(2) Federal, Local and Miscellaneous Funds		<u>54,683,043</u>	
Total Department of Industrial Relations	<u>869,849</u>	<u>54,683,043</u>	<u>55,552,892</u>

58. Insurance Board, State Employees':

(a) Administrative Support Services Program			84,488
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SOURCE OF FUNDS:

(1) State General Fund	<u>84,488</u>		
Total State Employees' Insurance Board	<u>84,488</u>		<u>84,488</u>

59. Insurance, Department of:

(a) Regulatory Services Program			2,429,281
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The appropriation to the Department of Insurance shall include a transfer to the State Personnel Department of \$3,088.

SOURCE OF FUNDS:

(1) State General Fund	1,249,055		
(2) Examination Revolving Fund as provided in Title 27, Chapter 2, Section 25, 1975 Code of Alabama		970,300	
(3) Fire Marshals' Fund		209,926	

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As provided in Title 24, Chapter 5,
Article 1, 1975 Code of Alabama.
Any balance in excess of \$50,000
at the end of the fiscal year shall
be transferred to the State Gen-
eral Fund.

Total Department of Insurance ..	1,249,055	1,180,226	2,429,281
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60. Labor, Department of:

(a) Regulatory Services Program			327,883
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SOURCE OF FUNDS:

(1) State General Fund	292,883		
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(2) Federal, Local and Miscellane- ous Funds		35,000	
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Total Department of Labor	292,883	35,000	327,883
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61. LaGrange Historical Site-
Alabama Historical Commis-
sion:

(a) Historical Resources Manage- ment Program			6,126
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SOURCE OF FUNDS:

(1) State General Fund	2,076		
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As provided in Title 41, Chapter 9,
Section 270, 1975 Code of Ala-
bama.

(2) Federal and Local Funds		4,050	
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Total Alabama Historical Commission-LaGrange Histori- cal Site	2,076	4,050	6,126
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62. Landscape Architects, Board of
Examiners of:

(a) Professional and Occupational Licensing and Regulation Pro- gram			7,675
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SOURCE OF FUNDS:

(1) Landscape Architects Fund ..		7,675	
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As provided in Title 34, Chapter 17,
1975 Code of Alabama.

Total Board of Examiners of Land- scape Architects		7,675	7,675
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63. Law Enforcement Planning
Agency, Alabama:

(a) Law Enforcement Planning and Development Program			3,445,419
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(b) Glory House for Boys 40,000

The appropriation to the Alabama Law Enforcement Planning Agency shall include a transfer to the State Personnel Department of \$958.

SOURCE OF FUNDS:

(1) State General Fund-Transfer for Matching Federal Funds ...	281,574		
(2) Federal, Local and Miscellaneous Funds		<u>3,203,845</u>	
Total Alabama Law Enforcement Planning Agency	<u>281,574</u>	<u>3,203,845</u>	<u>3,485,419</u>

64. Liquefied Petroleum Gas Board:

(a) Regulatory Services Program 201,900

The appropriation to the Liquefied Petroleum Gas Board shall include a transfer to the State Personnel Department of \$266.

SOURCE OF FUNDS:

(1) Liquefied Petroleum Gas Board Fund		<u>201,900</u>	
Total Liquefied Petroleum Gas Board		<u>201,900</u>	<u>201,900</u>

65. Medicaid Agency, Alabama:

(a) Medical Assistance through Medicaid Program 393,192,154

The appropriation to the Alabama Medicaid Agency shall include a transfer to the State Personnel Department of \$11,182.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	90,071,529		
(2) Transfer from Pensions and Security		1,064,400	
(3) Transfer from Mental Health		30,851,625	
(4) Federal, Local and Miscellaneous Funds		<u>271,204,600</u>	

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Total Alabama Medicaid Agency	<u>90,071,529</u>	<u>303,120,625</u>	<u>393,192,154</u>
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In addition to the above appropriation there is hereby appropriated \$4,400,000 to the Alabama Medicaid Agency to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

66. Mental Health, Department of:

(a) Institutional Treatment and Care-Mental Illness Program ..	71,452,865
(b) Institutional Treatment and Care-Mental Retardation Program	57,942,594
(c) Institutional Treatment and Care-Criminally Insane Program	3,390,349
(d) Non-Institutional Treatment and Care Program	33,801,263
(Of this amount, \$14,477,283 shall be used for Community Programs. Of this \$14,477,283, \$100,000 shall be appropriated to the River Bend Mental Health Center for Alcohol Treatment for capital outlay.)	
(e) Administrative Services Program	3,782,197

The appropriation to the Department of Mental Health shall include a transfer to the State Personnel Department of \$256,665.

SOURCE OF FUNDS:

(1) Special Mental Health Trust Fund	97,118.850
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For Operations and Maintenance of the State Mental Health Department including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.

(2) Special Mental Health Trust Fund-Community Programs ...	14,477,283
(3) Transfer from ABC Profits ...	(000,000)
(4) Cigarette Tax-\$.01	930,000

(5) Cigarette Tax-\$.02	4,825,000	
(6) Federal, Local and Miscellaneous Funds	<u>52,018,135</u>	
Total Department of Mental Health	<u>170,369,268</u>	<u>170,369,268</u>

In addition to the above appropriation there is hereby appropriated \$14,787,525 to the Department of Mental Health to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

In addition to the above appropriations, there is hereby appropriated \$5,659,265 To the Department of Mental Health to be conditional on the availability of funds enumerated in the Source of Funds numbered one (1) through (5) above on lines seven (7) through twenty (20) and upon the approval of the Governor.

It is the intent of the Legislature that the Governor shall not release more than a total of \$14,787,525 in conditional appropriations to the Department of Mental Health from any source.

67. Military Department:

(a) Military Operations Program	4,778,928
(b) Capital Outlay	902,997

SOURCE OF FUNDS:

(1) State General Fund-Operations	1,398,899
(2) State General Fund-Quarterly Allowances Headquarters-Regular Allowance Units to be used solely for operating expenses; provided, that no more than \$4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters .	1,031,000
(3) State General Fund-Transfer-Capital Outlay for Architect and Engineering Services and specifications and construction of facilities	902,997
(4) State General Fund-Active Military Service	130,628
(5) State General Fund-Transfer to Armory Commission	2,208,401
(6) State General Fund-Dropping Allowance	<u>10,000</u>

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Total Military Department	<u>5,681,925</u>	<u>5,681,925</u>
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68. Armory Commission of Alabama:

(a) Military Operations Program		3,328,077
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SOURCE OF FUNDS:

(1) Transfer from Military Department	2,208,401	
(2) Federal, Local and Miscellaneous Funds	1,119,676	

The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities.

Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.

Total Armory Commission of Alabama	<u>3,328,077</u>	<u>3,328,077</u>
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69. Nursing Home Administrators, Board of Examiners of:

(a) Professional and Occupational Licensing and Regulation Program		31,000
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SOURCE OF FUNDS:

(1) Board of Examiners of Nursing Home Administrators Fund ...	31,000	
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As provided in Title 34, Chapter 20, 1975 Code of Alabama.

Total Board of Examiners of Nursing Home Administrators	<u>31,000</u>	<u>31,000</u>
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70. Oil and Gas Board:

(a) Management and Regulation of Oil and Gas Exploration and Development Program		1,321,747
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,321,747</u>	
Total Oil and Gas Board	<u>1,321,747</u>	<u>1,321,747</u>

71. Pardons and Paroles, Board of:

(a) Administration of Pardons and Paroles Program		7,707,028
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The appropriation to the Board of Pardons and Paroles shall include a transfer to the State Personnel Department of \$10,171.

SOURCE OF FUNDS:

(1) State General Fund	6,339,201		
(2) Probationers Upkeep Fund ..		1,263,488	
(3) Federal, Local and Miscellaneous Funds		<u>104,339</u>	
Total Board of Pardons and Paroles	<u>6,339,201</u>	<u>1,367,827</u>	<u>7,707,028</u>

72. Peace Officers' Annuity and Benefit Fund, Alabama:

(a) Retirement System Program ..	188,800
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SOURCE OF FUNDS:

(1) Peace Officers' Annuity and Benefit Fund as provided in Title 36, Chapter 21, Article 4, 1975 Code of Alabama	<u>188,800</u>	
Total Alabama Peace Officers' Annuity and Benefit Fund	<u>188,800</u>	<u>188,800</u>

73. Pensions and Security:

(a) Economic Assistance Program	154,452,009
(b) Social Services Program	83,007,087

Of the above appropriation, foster parents shall receive monthly payments for the care of children at the following rates based on the ages of the children: 0-2 years, \$153; 3-5 years, \$162; 6-12 years, \$171; and 13 years and over, \$180. Of the above appropriation, at least \$10,000,000 shall be dedicated to the foster care program.

The appropriation to Pensions and Security shall include a transfer to the State Personnel Department of \$217,952.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	2,419,336	
(2) Federal, Local and Misc. Funds		162,356,334
(3) ABC Profits		1,931,457
(4) Whiskey Tax		19,560,705
(5) Beer Tax		7,597,000
(6) Pension Residue		8,990,000
(7) Sales Tax		1,322,000
(8) Franchise Tax		9,720,000

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(9) Contracts, Service Fees	200,000		
(10) Child Support Collections ..	1,900,000		
(11) Sales Tax for Food Stamps ..	14,000,000		
(12) Cigarette Tax	4,200,000		
(13) Contractor's Gross Receipts Tax	3,260,164		
(14) Pension Fund	2,100		
Total Pensions and Security	<u>2,419,336</u>	<u>235,039,760</u>	<u>237,459,096</u>

In addition to the above appropriation, there is hereby appropriated \$6,314,000 to the Department of Pensions and Security to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

In addition to the above appropriations, there is hereby appropriated \$6,314,000 to the Department of Pensions and Security to be conditional upon the availability of funds enumerated in the Sources of Funds numbered three (3) through fourteen (14) above on lines four (4) through fifteen (15) and upon the approval of the Governor.

It is the intent of the Legislature that the Governor shall not release more than a total of \$6,314,000 in conditional appropriations to the Department of Pensions and Security from any source.

In the event of the passage of Senate Bill 24 or its companion House Bill 67 of the 1982 Regular Session, the Governor is authorized to release sufficient funds from the above conditional appropriations to provide child restraints to foster parents.

74. Personnel Department, State:

(a) Administrative Support Program	1,465,608
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SOURCE OF FUNDS:

(1) State General Fund-Transfer	131,122	
(2) Transfer from Department of Aeronautics	266	
(3) Transfer from Commission on Aging	852	
(4) Transfer from Agriculture and Industries	22,897	
(5) Transfer from Agricultural Center Board	692	
(6) Transfer from Alcoholic Beverage Control Board	61,344	
(7) Transfer from Board of Registration for Architects	106	

(8) Transfer from State Arts Council	532
(9) Transfer from State Banking Dept.	2,449
(10) Transfer from Finance-Alabama Building Authority ..	1,917
(11) Transfer from Finance-Alabama Building Finance Authority	1,651
(12) Transfer from Building Commission	373
(13) Transfer from Civil Defense Dept.	1,438
(14) Transfer from Coastal Area Board	373
(15) Transfer from Conservation Dept.	29,926
(16) Transfer from State Licensing Board for General Contractors ..	319
(17) Transfer from Board of Corrections	68,053
(18) Transfer from Board of Cosmetology	479
(19) Transfer from Criminal Justice Information Center	2,662
(20) Transfer from Alabama Dairy Commission	532
(21) Transfer from Alabama Development Office	1,757
(22) Transfer from State Docks ..	31,577
(23) Transfer from Education ...	72,952
(24) Transfer from Department of Energy	1,438
(25) Transfer from Board of Registration for Professional Engineers and Land Surveyors ...	266
(26) Transfer from Firefighters Personnel Standards and Education Commission	213
(27) Transfer from Department of Forensic Sciences	4,260
(28) Transfer from Forestry Commission	24,495

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(29) Transfer from Geological Survey	3,940
(30) Transfer from Health Department	102,932
(31) Transfer from State Health Planning and Development Agency	1,384
(32) Transfer from Highway Department	183,819
(33) Transfer from Highway and Traffic Safety	532
(34) Transfer from Alabama Historical Commission	1,704
(35) Transfer from Industrial Relations	105,328
(36) Transfer from Insurance Department	3,088
(37) Transfer from Law Enforcement Planning Agency	958
(38) Transfer from Legislative Reference Service	1,118
(39) Transfer from Liquefied Petroleum Gas Board	266
(40) Transfer from Alabama Medicaid Agency	11,182
(41) Transfer from Department of Mental Health	256,665
(42) Transfer from Board of Nursing	639
(43) Transfer from Pardons and Paroles Board	10,171
(44) Transfer from Peace Officers' Standards and Training Commission	160
(45) Transfer from Pensions and Security	217,952
(46) Transfer from Physical Fitness Commission	213
(47) Transfer from Board of Physical Therapy	53
(48) Transfer from Office of State Planning and Federal Programs	3,088
(49) Transfer from Public Library Service	3,088

(50) Transfer from Public Service Commission	5,804		
(51) Transfer from Publicity and Information	3,195		
(52) Transfer from Alabama Public Television Network	4,260		
(53) Transfer from Real Estate Commission	852		
(54) Transfer from Retirement Systems	4,526		
(55) Transfer from Department of Revenue	53,303		
(56) Transfer from Board of Social Work Examiners	53		
(57) Transfer from Surface Mining Reclamation Commission	2,183		
(58) Transfer from Department of Youth Services	18,211		
Total State Personnel Department	<u>131,122</u>	<u>1,334,486</u>	<u>1,465,608</u>

75. Physical Therapy, Board of:

(a) Professional and Occupational Licensing and Regulation Program	29,453		
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The appropriation to the Board of Physical Therapy shall include a transfer to the State Personnel Department of \$53.

SOURCE OF FUNDS:

(1) Physical Therapist Fund	29,453		
As provided in Title 34, Chapter 24, Article 5, 1975 Code of Alabama.			
Total Board of Physical Therapy .	<u>29,453</u>	<u>29,453</u>	

76. Planning and Federal Programs, Office of State:

(a) State Planning Program	37,002,624		
(b) State Planning Program-Special Projects	500,000		
(c) Special Services Program	5,497,821		
(d) Regional Planning Commission Program	332,750		

The appropriation to the Office of State Planning and Federal Pro-

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grams shall include a transfer to the State Personnel Department of \$3,088.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	2,859,895		
(2) Federal, Local and Miscellaneous Funds		<u>40,473,300</u>	
Total Office of State Planning and Federal Programs	<u>2,859,895</u>	<u>40,473,300</u>	<u>43,333,195</u>

77. Polygraph Examiners, Board of:

(a) Professional and Occupational Licensing and Regulation Program			14,000
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SOURCE OF FUNDS:

(1) Board of Polygraph Examiners Fund		14,000	
As provided in Title 34, Chapter 25, 1975 Code of Alabama as amended by Act No. 81-222.			
Total Board of Polygraph Examiners		<u>14,000</u>	<u>14,000</u>

78. Prosecution Services, Office of:

(a) Prosecution, Training, Education and Management Program			471,570
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SOURCE OF FUNDS:

(1) Office of Prosecution Services Fund		<u>471,570</u>	
Total Office of Prosecution Services		<u>471,570</u>	<u>471,570</u>

79. Psychology, Alabama Board of Examiners in:

(a) Professional and Occupational Licensing and Regulation Program			22,700
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SOURCE OF FUNDS:

(1) Board of Examiners of Psychology Fund		22,700	
As provided in Title 34, Chapter 26, 1975 Code of Alabama.			
Total Alabama Board of Examiners in Psychology		<u>22,700</u>	<u>22,700</u>

80. Public Safety, Department of:

(a) Traffic Control and Accident Prevention Program	18,311,696
(b) Criminal Investigation Program	3,794,950
(c) Driver's Licensing and Improvement Program	7,398,889
(d) Public Safety Support Services Program	7,726,826
(e) Administrative Services Program	1,977,215
(f) Alabama Criminal Justice Training Center Program	1,625,216
(g) Capital Outlay	520,265

SOURCE OF FUNDS:

(1) State General Fund	<u>41,355,057</u>	
Total Department of Public Safety	<u>41,355,057</u>	<u>41,355,057</u>

81. Public Service Commission:

(a) Administrative Services Program	820,000
(b) Regulatory Program	3,868,550

The appropriation to the Public Service Commission shall include a transfer to the State Personnel Department of \$5,804.

SOURCE OF FUNDS:

(1) Public Service Commission Fund	4,688,550
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The above appropriations to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of

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the fiscal year in excess of
\$800,000 shall be transferred to
the State General Fund.

Total Public Service Commission	4,688,550	4,688,550
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82. Publicity and Information,
Bureau of:

(a) Tourism and Travel Promotion Program		2,254,193
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The appropriation to the Bureau of
Publicity and Information shall
include a transfer to the State
Personnel Department of \$3,195.

SOURCE OF FUNDS:

(1) State General Fund-Transfer	504,193	
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Of this amount, \$6,000 is ear-
marked for the purpose of pur-
chasing state flags to be distri-
buted by the members of the
Legislature.

(2) Lodgings Tax (\$.01)	1,750,000	
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Receipts collected under the provi-
sions of Title 40, Chapter 26,
1975 Code of Alabama.

Total Bureau of Publicity and In- formation	504,193	1,750,000	2,254,193
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83. Real Estate Commission, Ala-
bama:

(a) Professional and Occupational Licensing and Regulation Pro- gram		627,617
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The appropriation to the Alabama
Real Estate Commission shall
include a transfer to the State
Personnel Department of \$852.

SOURCE OF FUNDS:

(1) Alabama Real Estate Commis- sion Fund-as provided in Title 34, Chapter 27, 1975 Code of Ala- bama, as amended and the total expenditures shall in no manner exceed the amounts hereby ap- propriated	627,617	
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Total Alabama Real Estate Com- mission	627,617	627,617
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84. Revenue Department:

(a) State Revenue Administration Program	29,750,000
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The appropriation to the Revenue Department shall include a transfer to the State Personnel Department of \$53,303.

SOURCE OF FUNDS:

(1) State General Fund-Transfer as provided in Title 40, Chapter 7, Article 2, Division 1, 1975 Code of Alabama, to maintain a program for the equalization of ad valorem tax assessments ...	250,000
(2) Transfer from the gross proceeds of Cigarette Tax Collections, Title 40, Chapter 25, Section 2 and 23, 1975 Code of Alabama	398,242
(3) Transfer from the gross proceeds of Financial Institution Excise Tax Collections	310,041
(4) Transfer from the gross proceeds of the Forest Severance Tax Collections	208,476
(5) Transfer from the gross proceeds of Gasoline Tax Collections	2,068,723
(6) Transfer from the Income Tax Collections	6,906,435
(7) Transfer from the gross proceeds of Motor Fuel Tax Collections	1,194,727
(8) Transfer from the gross proceeds of Motor Vehicle License Collections	1,208,092
(9) Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	368,843
(10) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	911,414
(11) Transfer from the gross proceeds of Sales Tax Collections ..	9,627,313
(12) Transfer from the gross proceeds of the Tobacco Tax Collections	1,969,831

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(13) Transfer from the gross proceeds of Use Tax Collections ..	940,815
(14) Transfer from the gross proceeds of the Utility Tax Collections-as provided in Title 40, Chapter 21, 1975 Code of Alabama	614,737
(15) Local Funds	2,772,311

The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law.

Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

Total Revenue Department	<u>250,000</u>	<u>29,500,000</u>	<u>29,750,000</u>
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85. Revenue-Auto Title and Antitheft:

(a) State Revenue Administration Program	1,057,765
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SOURCE OF FUNDS:

(1) State General Fund-Transfer	<u>1,057,765</u>
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Total Revenue-Auto Title and Antitheft	<u>1,057,765</u>	<u>1,057,765</u>
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86. Revenue-Boards of Equalization:

(a) State Revenue Administration Program	136,166
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SOURCE OF FUNDS:

(1) State General Fund	<u>136,166</u>
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Total Revenue-Boards of Equalization	<u>136,166</u>	<u>136,166</u>
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87. Revenue-Motor Vehicle License:

(a) State Revenue Administration Program	2,145,200
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SOURCE OF FUNDS:

(1) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags ..	<u>2,145,200</u>
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Total Revenue-Motor Vehicle License	2,145,200	2,145,200
88. Richmond P. Hobson Memorial Board-Alabama Historical Commission:		
(a) Historical Resources Management Program		107,052
SOURCE OF FUNDS:		
(1) State General Fund-as provided in Title 41, Chapter 9, Section 221, 1975 Code of Alabama, and an additional amount	7,052	
(2) Federal, Local and Miscellaneous Funds	100,000	
Total Alabama Historical Commission-Richmond P. Hobson Memorial Board	7,052	100,000
		107,052
89. Secretary of State:		
(a) Administrative Support Services Program		630,515
SOURCE OF FUNDS:		
(1) State General Fund	630,515	
Total Secretary of State	620,515	630,515
90. Securities Commission:		
(a) Regulatory Services Program		709,600
SOURCE OF FUNDS:		
(1) State General Fund	476,706	
(2) Industrial Development Bond Notification Fund		139,602
(3) Sales of Checks License Fund		8,000
(4) Exemption Fund		85,292
Total Securities Commission	476,706	232,894
		709,600
91. Social Work Examiners, Alabama State Board of:		
(a) Professional and Occupational Licensing and Regulation Program		45,667
The appropriation to the Alabama State Board of Social Work		

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Examiners shall include a transfer to the State Personnel Department of \$53.

SOURCE OF FUNDS:

(1) Alabama State Board of Social Work Examiners Fund-as provided in Title 34, Chapter 30, 1975 Code of Alabama	<u>45,667</u>	
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Total Alabama State Board of Social Work Examiners	<u>45,667</u>	<u>45,667</u>
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92. Soil and Water Conservation Committee, Alabama State:

(a) Water Resource Development Program		697,516
(b) Catfish Farming and Disease Control Methods		200,000

SOURCE OF FUNDS:

(1) State General Fund	887,516		
(2) Federal, Local and Miscellaneous Funds		<u>10,000</u>	
Total Alabama State Soil and Water Conservation Committee	<u>887,516</u>	<u>10,000</u>	<u>897,516</u>

In addition to the above appropriation to the Soil and Water Conservation Committee, there is hereby appropriated the amount of \$390,000 to accelerate the development of the fish farming industry in Alabama to be conditional upon the availability of funds in the State General Fund and upon the approval of the Governor.

93. Southern Growth Policies Board:

(a) Special Services Program		25,300
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SOURCE OF FUNDS:

(1) State General Fund	<u>25,300</u>		
Total Southern Growth Policies Board	<u>25,300</u>		<u>25,300</u>

94. Space Science Exhibit Commission, Alabama:

(a) Tourism and Travel Promotion Program		356,000
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SOURCE OF FUNDS:

(1) State General Fund-Capital Outlay	356,000	
Total Alabama Space Science Exhibit Commission	356,000	356,000
95. Speech Pathology and Audiology, Alabama Board of Examiners for:		
(a) Professional and Occupational Licensing and Regulation Program		16,000
SOURCE OF FUNDS:		
(1) Alabama Board of Examiners for Speech Pathology and Audiology Fund-as provided in Title 34, Chapter 28A, 1975 Code of Alabama	16,000	
Total Alabama Board of Examiners for Speech Pathology and Audiology	16,000	16,000
96. Surface Mining Reclamation Commission:		
(a) Industrial Safety and Accident Prevention Program		2,816,283
The appropriation to the Surface Mining Reclamation Commission shall include a transfer to the State Personnel Department of \$2,183.		
SOURCE OF FUNDS:		
(1) Surface Mining Reclamation Commission Fund-as provided by Title 9, Chapter 16, Article 2, 1975 Code of Alabama. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the appropriation herein made, are appropriated to the Surface Mining Reclamation Commission.	2,816,283	
Total Surface Mining Reclamation Commission	2,816,283	2,816,283
97. Tannehill Historical State Park:		
(a) Historical Resources Management Program		597,700
SOURCE OF FUNDS:		

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(1) State General Fund	250,000		
(2) Federal, Local and Miscellaneous Funds		<u>347,700</u>	
Total Tannehill Historical State Park	<u>250,000</u>	<u>347,700</u>	<u>597,700</u>

98. Tennessee-Tombigbee Waterway Development Authority:

(a) Water Resource Development Program			476,339
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SOURCE OF FUNDS:

(1) State General Fund	165,000		
As provided in Title 33, Chapter 8, 1975 Code of Alabama as amended.			
(2) Federal, Local and Miscellaneous Funds		<u>311,339</u>	
Total Tennessee-Tombigbee Waterway Development Authority	<u>165,000</u>	<u>311,339</u>	<u>476,339</u>

99. Treasurer, State:

(a) Fiscal Management Program			1,205,993
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,205,993</u>		
Total State Treasurer	1,205,993		1,205,993

In addition to the above appropriation to the State Treasurer, there is hereby appropriated \$200,000 to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

100. Uniform State Laws, Commission on:

(a) Special Services Program			4,147
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SOURCE OF FUNDS:

(1) State General Fund	4,147		
As provided in Title 41, Chapter 9, Article 12, 1975 Code of Alabama.			
Total Commission on Uniform State Laws	<u>4,147</u>		<u>4,147</u>

101. Veterans Affairs, Department of:

(a) Administration of Veterans Affairs Program		2,616,700
SOURCE OF FUNDS:		
(1) State General Fund	<u>2,616,700</u>	
Total Department of Veterans Affairs	<u>2,616,700</u>	<u>2,616,700</u>
102. Veterinary Medical Examiners, Alabama State Board of:		
(a) Professional and Occupational Licensing and Regulation Program		30,000
SOURCE OF FUNDS:		
(1) State Board of Veterinary Medical Examiners Funds	30,000	
As provided in Title 34, Chapter 29, 1975 Code of Alabama.		
Total Alabama State Board of Veterinary Medical Examiners ...	<u>30,000</u>	<u>30,000</u>
103. Water and Waste Water Systems Personnel, Board of Certification for:		
(a) Professional and Occupational Licensing and Regulation Program		15,954
SOURCE OF FUNDS:		
(1) Operators and Certification Fund	15,954	
As provided in Title 22, Chapter 25, 1975 Code of Alabama.		
Total Board of Certification for Water and Waste Water Systems Personnel	<u>15,954</u>	<u>15,954</u>
104. Water Well Standards Board, Alabama:		
(a) Professional and Occupational Licensing and Regulation Program		41,000
SOURCE OF FUNDS:		
(1) Well Digger's Licensing Fund	41,000	
As provided in Title 22, Chapter 24, 1975 Code of Alabama.		
Total Alabama Water Well Standards Board	<u>41,000</u>	<u>41,000</u>
105. Women's Commission, Alabama:		

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(a) Employment and Social Opportunities Program	9,000	
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SOURCE OF FUNDS:

(1) State General Fund	9,000	
Total Alabama Women's Commission	9,000	9,000

106. Women's Hall of Fame, Alabama:

(a) Historical Resources Management Program	12,000	
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SOURCE OF FUNDS:

(1) State General Fund	12,000	
Total Alabama Women's Hall of Fame	12,000	12,000

107. State Department of Education:

(a) Library Instructional Materials	2,494,131	
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To be distributed to all public elementary and secondary schools and all two-year post-secondary institutions under jurisdiction of the State Board of Education by an equal amount per student enrolled.

SOURCE OF FUNDS:

(1) State General Fund	2,494,131	
Total State Dept. of Education ..	2,494,131	2,494,131

108. Department of Youth Services:

(a) Youth Services Program	13,239,813	
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The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$18,211.

SOURCE OF FUNDS:

(1) State General Fund	12,159,265		
(2) Federal and Local Funds		1,080,548	
Total Department of Youth Services	12,159,265	1,080,548	13,239,813

(To be expended in accordance with Act No. 816, 1973 Regular Session.)

The above appropriation to the Department of Youth Services is to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

109. Library Service, Alabama Public:

(a) Public Library Service Program	270,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>270,000</u>
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Total Alabama Public Library Service	<u>270,000</u>	<u>270,000</u>
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110. Fort Toulouse-Alabama Historical Commission:

(a) Historical Resources Management Program	25,000
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SOURCE OF FUNDS:

(1) State General Fund	<u>25,000</u>
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Total Alabama Historical Commission-Fort Toulouse	<u>25,000</u>	<u>25,000</u>
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111. Department of Finance-Telephone Revolving Fund:

There is hereby appropriated \$1,500,000 to the Telephone Revolving Fund to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

Respectfully,
FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 94, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 97, Nays 0.

And said Bill, H. 151, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

REGULAR SESSION
30th Day

1919

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Pearson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 151, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 32; Nays 2.

Yeas:

Messrs.:	Hall	Little	St. John
Bailey	Harrison	Martin	Smith
Britnell	Higginbotham	McDonald	Taylor
Callahan	Hilliard	Miller	Teague (B)
Cook	Holmes	Mitchem	Teague (J)
Denton	Keener	Parsons	Vacca
Figures	Kirkland	Pearson	Weeks
Goodwin	Lemaster	Robertson	White
Gulledge			—32

Nays: Messrs.: deGraffenried and Proctor. —2

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 151, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 32; Nays 2.

Yeas:

Messrs.:	Hall	Martin	St. John
Bailey	Harrison	McDonald	Smith
Britnell	Higginbotham	Miller	Taylor
Callahan	Holmes	Mitchem	Teague (B)
Cook	Keener	Parsons	Teague (J)
Denton	Kirkland	Pearson	Vacca
Figures	Lemaster	Robertson	Weeks
Goodwin	Little		White
Gulledge			—32

Nays: Messrs.: deGraffenried and Hilliard. —2

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983 and to provide that certain employees shall be brought up to the normal step under the state pay plan and to appropriate funds.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, AL 36130

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 150 without his signature and approval and with suggested Executive Amendments.

Respectfully submitted,
WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 26th day of April 1982.

To The Alabama House of Representatives
State Capitol
Montgomery, AL 36130

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 150 without my signature and approval and with the following suggested Executive Amendments:

On page one of the enrolled bill in Section 1, count down to line 13 in Section 1 and delete the number "12" and insert in lieu thereof the number "11".

On page two of the enrolled bill in Section 2, count down to line 10 and delete the number "12" and insert in lieu thereof the number "11".

The adoption of the above and foregoing suggested Executive Amendment will remove my objection to this Bill.

Respectfully,
FOB JAMES,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of those voting, said vote being: Yeas 92, Nays 1.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of those voting, and said vote being: Yeas 91, Nays 1.

And said Bill, H. 150, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Pearson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 150, the title of which and said Executive amendment are set out in the foregoing Message from the House.

REGULAR SESSION
30th Day

1921

Yeas 32; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Pearson	Vacca
Denton	Keener	Proctor	Weeks
Figures	Kirkland	Robertson	White
Goodwin			

—32

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 150, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	St. John
Bailey	Hall	Martin	Smith
Britnell	Harrison	McDonald	Taylor
Callahan	Higginbotham	Miller	Teague (B)
Cook	Hilliard	Mitchem	Teague (J)
deGraffenried	Holmes	Parsons	Vacca
Denton	Keener	Pearson	Weeks
Figures	Kirkland	Proctor	White
Goodwin	Lemaster	Robertson	

—34

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate.

S. 245. To prohibit any municipality from acquiring any waterworks system, or any part thereof, operated by a corporation or association which has been organized under Sections 10-4-190 through 10-4-194, Sections 11-88-1 through 11-88-21; Sections 11-88-40 through 11-88-111; or Sections 11-89-1 through 11-89-19, Code of Alabama 1975, without the consent of a majority of the members of the governing board of said corporation or association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gulledge, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 245, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO SENATE BILL 245

Amend Senate Bill 245, page 1, lines 6 and 7, after the word "acquiring" and before the word "any" by inserting the following words:

, or duplicating any services of,

Further amend Senate Bill 245, page 1, line 18, after the word "acquiring" and before the word "any" by inserting the following words:

, or duplicating any services of,

Further amend Senate Bill 245, page 1, line 26, after the word "acquiring" and before the word "any" by inserting the following words:

, or duplicating any services of,

Yeas 27; Nays 0.

Yeas:

Messrs.:	Gulledge	Little	Smith
Bailey	Hall	Martin	Taylor
Britnell	Harrison	McDonald	Teague (B)
Callahan	Higginbotham	Miller	Teague (J)
Cook	Hilliard	Mitchem	Vacca
Denton	Holmes	Proctor	Weeks
Goodwin	Kirkland	Robertson	White

—27

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 699. To amend Section 41-9-73 of the Code of Alabama 1975, as amended, relating to annual appropriations for the state board of adjustment so as to provide further for such appropriations.

was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Hall	Martin	Taylor
Bailey	Harrison	Miller	Teague (B)
Britnell	Higginbotham	Mitchem	Teague (J)
Denton	Holmes	Proctor	Vacca
Goodwin	Kirkland	Robertson	White
Gulledge	Little	Smith	

—22

Nays:

—0

The Bill:

H. 722. To amend Section 16-13-211 of the Code of Alabama 1975, which relates to warrant anticipation notes issued by local boards of education and borrowing money in anticipation of the issuance of such warrants, so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

REGULAR SESSION
30th Day

1923

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hall	Miller	Taylor
Bailey	Harrison	Mitchem	Teague (B)
Britnell	Holmes	Parsons	Teague (J)
Callahan	Kirkland	Proctor	Vacca
Cook	Little	Robertson	Weeks
Denton	Martin	Smith	White
Gulledge			

—24

Nays:

—0

The Bill:

H. 474. To amend Section 15-9-2, Code of Alabama 1975, which relates to the authority of municipalities to offer rewards so as to increase the limit on such rewards from \$200.00 to \$3,000.00, and to further authorize such municipalities to honor any offers of reward not exceeding \$3,000.00 made prior to the effective date of this Act.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Harrison	Miller	Taylor
Bailey	Holmes	Mitchem	Teague (B)
Callahan	Kirkland	Parsons	Teague (J)
Denton	Little	Proctor	Vacca
Goodwin	Martin	Robertson	Weeks
Gulledge	McDonald	Smith	White
Hall			

—24

Nays:

—0

RESOLUTION

Messrs. Miller, Bailey, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gulledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague (B), Teague (J), Vacca, Weeks and White offered the following Senate Resolution, to-wit:

S. R. 294. EXPRESSING GRATITUDE TO LIEUTENANT GOVERNOR GEORGE McMILLAN FOR HIS OUTSTANDING SERVICE TO THE SENATE.

Which was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 205. To amend Sections 32-6-254 and 32-6-250, Code of Alabama 1975, relating to Medal of Honor Recipients and Prisoners of War distinctive license plates, so as to provide that said plates shall be permanent and that certain allied prisoners of war shall receive said plates.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hall	McDonald	Taylor	
Bailey	Harrison	Miller	Teague (B)	
Britnell	Higginbotham	Mitchem	Teague (J)	
Callahan	Holmes	Parsons	Vacca	
Denton	Kirkland	Robertson	Weeks	
Goodwin	Little	Smith	White	
Gulledge	Martin			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 291. CONGRATULATING THE ATLANTA BRAVES.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 14. To establish the Alabama Recreation Capital Development Assistance Fund Program; to define terms used in this Act; to establish the procedures for assisting state, county and municipal agencies in planning, acquiring and developing recreational resources; and to provide for the administration of the Alabama Recreation Capital Development Fund Program by the Department of Conservation and Natural Resources.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 291. CONGRATULATING THE ATLANTA BRAVES.

Also:

S. J. R. 292. DESIGNATING H. B. 320 AND S. B. 236, OF THE 1982 REGULAR SESSION, "THE REED-MARTIN BILLS".

Also:

S. 14. To establish the Alabama Recreation Capital Development Assistance Fund Program; to define terms used in this Act; to establish the procedures for assisting state, county and municipal agencies in planning, acquiring and developing recreational resources; and to provide for the administration of the Alabama Recreation Capital Development Fund Program by the Department of Conservation and Natural Resources.

Also:

S. 27. To amend Sections 16-8-25 and 16-12-21 of the Code of Alabama 1975 so as to permit school boards to approve vacations during the school year for twelve month employees other than teachers in city and county schools.

Also:

S. 45. To amend Code of Alabama 1975, Section 36-27-16, which relates to the Employees' Retirement System, amending said section so as to provide that any member who has attained age 60, or age 52 in the case of a state policeman, and has previously withdrawn from service may retire upon written application to the board of control setting forth at what time, not less than 30 days, nor more than 90 subsequent to the execution and filing thereof, he desires to be retired; provided that the said member shall have completed the age and service requirements established by the board of control for eligibility for deferred benefits. To provide that the board of control shall establish said age and service requirements; and that from time to time, said requirements for the minimum years of creditable service shall not be less than 10 years nor more than 25 years.

Also:

S. 68. TO AMEND TITLE 16, SECTION 27, SUB-SECTION 4, OF THE CODE OF ALABAMA, 1975 SO AS TO LOWER THE NUMBER OF TRAINING SESSION HOURS REQUIRED FOR RENEWAL OF SCHOOL BUS DRIVER LICENSES FROM SIX HOURS TO FOUR HOURS.

Also:

S. 82. To provide that the state agencies, departments, boards or commissions may purchase liability insurance or be the self-insuror of the wrongful acts or omissions committed by their employees, agents, or servants while in the performance of their official duties in the line and scope of their employment; to establish the procedure for notification of the State Attorney General of suits against state employees for acts committed in the line and scope of their performance; and to provide that the charges or costs of such liability insurance or self insurance shall be borne from the general operating funds of the various state agencies, boards, commissions or departments.

Also:

S. 98. To amend Section 11-10-6, Code of Alabama, 1975, relative to the allowable interest rate on loans to county governing bodies in anticipation of the receipt of payments from the United States under the State and Local Fiscal Assistance Act of 1972 (31 U. S. C. Section 1221 et seq.); to delete the provisions for an allowable interest rate on such loans of eight percent per annum.

Also:

S. 109. To establish and fix minimum salaries of the tax assessors, tax collectors, revenue commissioners, license commissioners or other persons charged with assessing and collecting ad valorem taxes in the various counties of this State; to abolish the fee system of compensation of such officials presently on a fee system; to provide for the method of payment of the salaries herein established; to provide for the personnel and other expenses necessary to the operation of such officials' offices; to provide that employees of the officials herein converted from a fee to a salary basis of compensation may continue their employment provided such employment commenced prior to passage of the Alabama Ethics Act; to provide for the payment of the fees, commissions and allowances paid to such officials presently on a fee system to be paid into the treasury from which their salaries are paid; to repeal all laws in conflict; and to establish the effective date of this Act.

Also:

S. 158. To amend Section 12-16-9 of the Code of Alabama, 1975, to remove the requirement that the accused and his counsel and also the prosecuting attorney in any noncapital felony case consent in open court before the trial court may permit the jury to separate during the pendency of a trial.

Also:

S. 179. To adopt and incorporate into the Code of Alabama 1975 all of the general and permanent laws of the State enacted during the 1981 Regular Session of the legislature as contained in the 1981 Cumulative Supplement to the Code of Alabama 1975, and to make certain corrections in such supplement; and to adopt and incorporate into the Code of Alabama 1975 the Alabama Business Corporation Act of 19080 as contained in Chapter 2A of Title 10 of the 1980 Replacement Volume 7 of the Code and the 1981 Cumulative Supplement thereto, and to make certain corrections in Chapter 2A of Title 10 of such Volume 7.

Also:

S. 221. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to employees who are employed full-time by the State of Alabama.

Also:

S. 226. To amend Section 9-17-64, Code of Alabama 1975, which provides for pooling or unitization agreements or amendments to leases to provide for pooling or unitization agreements, so as to provide for further amendments.

Also:

S. 244. To provide that full-time employees and executive officers of the Alabama Vocational Association may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Association and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the state.

Also:

S. 245. To prohibit any municipality from acquiring, or duplicating any services of any waterworks system, or any part thereof, operated by a corporation or association which has been organized under Sections 10-4-190

through 10-4-194, Sections 11-88-1 through 11-88-21; Sections 11-88-40 through 11-88-111; or Sections 11-89-1 through 11-89-19, Code of Alabama 1975, without the consent of a majority of the members of the Governing board of said corporation or association.

Also:

S. 333. To amend Section 19-3-1, Code of Alabama 1975, which provides for the creation of trusts for the support of relatives, so as to provide further for said trusts.

Also:

S. 369. To amend Section 3-1-10, Code of Alabama 1975, which provides criminal penalties for the unlawful, wanton, or malicious killing, disabling or injuring of animals or articles of value, of another; to raise the maximum fine to \$1,000.

Also:

S. 422. To amend Section 12-13-20, Code of Alabama, 1975, relating to the compensation of certain probate judges so as to provide further for the minimum compensation for such officials.

Also:

S. 537. To require that group, or blanket hospital or medical expense insurance policies or hospital or medical service contracts issued for delivery in this State which include mental health services in the terms of the policies or contracts, shall include reimbursement for outpatient services, and inpatient services if requested by the attending physician, rendered by duly qualified psychiatrists and psychologists of this State notwithstanding any provisions of the policies or contracts to the contrary.

Also:

S. 110. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officials in the various counties of the State charged with the assessing and collecting of ad valorem taxes, and providing for the combining or abolishing of said offices.

Also:

S. 502. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges and fees in court costs in Pike County.

ALBERT McDONALD,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolutions the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 151. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length at length by the secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 153. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 688. To provide that the operation of bingo games for prizes or money only by qualified organizations for bona fide charitable, educational, or other lawful purposes shall be legal in Montgomery County; to provide for permits or licenses, applications, forms and contents to operate bingo, to provide for special permits or licenses, to prohibit certain activities and impose special requirements; to provide for fees and expenses; to provide for the disposition of proceeds; to provide for the operation of bingo; to provide for

the keeping of records and their inspection; to provide for the issuance and revocation of permits or licenses; to provide for supervision by the circuit court; to provide for certain powers and duties of the sheriff; to provide for penalties and forfeitures; and to provide that this act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery County, and approved at a referendum on the subject in the county; provided, however, if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery County, no further referendum is needed.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 150. To provide a salary increase for certain state employees for the fiscal year ending September 30, 1983 and to provide that certain employees shall be brought up to the normal step under the state pay plan and to appropriate funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 430. DESIGNATING ACT NO. 82-328, H. B. 300, OF THE 1982 REGULAR SESSION, "THE CAROTHERS-MARTIN BILL".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 278. Relating to elections; providing that no political party, except those parties qualified under Title 17, Chapter 16 of the Code of Alabama 1975, shall be included on any general election ballot unless the party shall have filed with the secretary of state or other appropriate official at the same time set by law in Sections 17-16-11, Code of Alabama 1975, for candidates in primary elections to qualify a list of the signatures of at least one percent of the electors who cast ballots in the state, district, county or other political subdivision in which the political party seeks to qualify candidates for office, and unless the party shall have fulfilled all other applicable requirements of federal, state or local laws.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

Your Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 699. To amend Section 41-9-73 of the Code of Alabama 1975, as amended, relating to annual appropriations for the state board of adjustment so as to provide further for such appropriations.

Also:

H. 722. To amend Section 16-13-211 of the Code of Alabama 1975, which relates to warrant anticipation notes issued by local boards of education and borrowing money in anticipation of the issuance of such warrants, so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 480. To provide a fifteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1983.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 474. To amend Section 15-9-2, Code of Alabama 1975, which relates to the authority of municipalities to offer rewards so as to increase the limit on such rewards from \$200.00 to \$3,000.00, and to further authorize such municipalities to honor any offers of reward not exceeding \$3,000.00 made prior to the effective date of this Act.

Also:

H. 205. To amend Sections 32-6-254 and 32-6-250, Code of Alabama 1975, relating to Medal of Honor Recipients and Prisoners of War distinctive license plates, so as to provide that said plates shall be permanent and that certain allied prisoners of war shall receive said plates.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 143. CREATING THE LEGISLATIVE JOINT INTERIM STUDY COMMITTEE ON PRISON WORK-RELEASE PROGRAMS.

Also:

H. J. R. 157. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

Also:

H. J. R. 214. COMMENDING DENNIS GARRETT, WINTERBORO HIGH SCHOOL, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 218. EXTENDING BEST WISHES TO MR. AND MRS. OTIS KENT ON THE OCCASION OF THEIR 62ND WEDDING ANNIVERSARY.

Also:

H. J. R. 224. NAMING THE NEW BRIDGE WHICH CONNECTS COLBERT AND LAWRENCE COUNTIES, THE "JOE PATTERSON BRIDGE."

Also:

H. J. R. 255. DESIGNATING MAY 1, 1982, AS CONSTITUTION HALL PARK DAY.

Also:

H. J. R. 261. CONGRATULATING MRS. ESTELLE SCROGGIN SMITH OF CHEROKEE COUNTY, ALABAMA, ON HER 90TH BIRTHDAY.

Also:

H. J. R. 262. NAMING THE BRIDGE ON HIGHWAY 68 IN CEDAR BLUFF, ALABAMA, "COBIA'S BRIDGE."

Also:

H. J. R. 263. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM FOR THEIR RECENT WINNING SEASON.

Also:

H. J. R. 264. COMMENDING THE PINSON VALLEY HIGH SCHOOL WRESTLING TEAM FOR WINNING ITS THIRD STRAIGHT 3A STATE WRESTLING CHAMPIONSHIP.

Also:

H. J. R. 272. COMMENDING DR. LEON DAVIS, OF MONTEVALLO, ALABAMA, ON BECOMING PRESIDENT OF THE NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS.

Also:

H. J. R. 273. COMMENDING THE LIVINGSTON UNIVERSITY LADY TIGERS BASKETBALL TEAM FOR WINNING THEIR SECOND CONSECUTIVE AIAAW SOUTHERN DIVISION CHAMPIONSHIP.

Also:

H. J. R. 277. COMMENDING THE JACKVILLE STATE UNIVERSITY MARCHING BAND.

Also:

H. J. R. 278. URGING THE ALABAMA HIGH SCHOOL ATHLETIC ASSOCIATION TO REVIEW AND RESTRUCTURE ITS RULES AND REGULATIONS GOVERNING STUDENT ATHLETES WITHIN THE ASSOCIATION'S PURVIEW.

Also:

H. J. R. 280. MOURNING THE DEATH OF MR. L. C. KIRK PAYNE, FORMER MAYOR OF ALABASTER, ALABAMA.

Also:

H. J. R. 282. URGING THE HONORABLE JOB JAMES AND COMMISSIONER JOHN McMILLAN TO CANCEL IMPLEMENTATION OF CERTAIN OPPRESSIVE RULES AND REGULATIONS RELATING TO FINFISH FISHING AND TO ALLOW INPUT BY CITIZENS AFFECTED.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 285. COMMENDING THE ESTABLISHMENT OF THE "NATIONAL BAND ASSOCIATION HALL OF FAME OF DISTINGUISHED PERSONS" AT TROY STATE UNIVERSITY.

Also:

H. J. R. 287. EXPRESSING APPRECIATION OF THE LEGISLATURE TO MR. CARL ELLIOTT, A DISTINGUISHED ALABAMIAN.

Also:

H. J. R. 292. NAMING THE COOSA RIVER BRIDGE IN POLLARD'S BEND, CHEROKEE AND ETOWAH COUNTIES, ALABAMA, "THE GUY HIGGINS-MORRIS L. NELSON BRIDGE."

Also:

H. J. R. 298. COMMENDING DOCTOR DONALD E. DAVIS FOR HIS SERVICES TO AUBURN UNIVERSITY.

Also:

H. J. R. 307. COMMENDING MR. B. B. WILLIAMSON OF LIVINGSTON, ALABAMA, ON HIS MANY YEARS OF SERVICE TO THE COMMUNITY AND THE STATE.

Also:

H. J. R. 309. CONGRATULATING MRS. MARY ELEANOR (NELL) COE OF JACKSON COUNTY, ALABAMA, ON HER UPCOMING 93RD BIRTHDAY.

Also:

H. J. R. 311. COMMENDING MISS CANDICE HEMPHILL GOVERNOR OF THE 1982 ALABAMA Y. M. C. A. YOUTH LEGISLATURE.

Also:

H. J. R. 312. COMMENDING SELMA HIGH SCHOOL'S DEBATE TEAM, 1982 STATE CHAMPIONS.

Also:

H. J. R. 313. RECOGNIZING COACH LUTHER McKENDREE YOUNG FOR DISTINGUISHED SERVICE TO AUBURN UNIVERSITY.

Also:

H. J. R. 314. COMMENDING MR. WILLIS CARL MATHEWS UPON HIS RETIREMENT FROM THE DOBBS MANUFACTURING COMPANY OF BIRMINGHAM, ALABAMA.

Also:

H. J. R. 315. COMMENDING COLONEL GORDON "JACK" MOHR OF BAY SAINT LOUIS, MISSISSIPPI, A DISTINGUISHED PATRIOT AND PROMINENT FUNDAMENTAL BAPTIST EVANGELIST.

Also:

H. J. R. 316. HONORING MRS. ALVA CRAIG WOLF UPON HER RETIREMENT AS COORDINATOR OF THE SPEECH THERAPY PROGRAM OF THE MONTGOMERY PUBLIC SCHOOLS.

Also:

H. J. R. 317. COMMENDING THE JOHN T. MORGAN ACADEMY DEBATE TEAM, 1982 STATE NOVICE CHAMPIONS.

Also:

H. J. R. 319. COMMENDING MISS EVELYN CHRISTINE STRUCK OF HUNTSVILLE ON CONTINUING OUTSTANDING ACADEMIC ACHIEVEMENT.

Also:

H. J. R. 320. COMMENDING DR. MARIE L. O'KOREN, DEAN AND PROFESSOR, SCHOOL OF NURSING, UNIVERSITY OF ALABAMA IN BIRMINGHAM, ON HER TENTH ANNIVERSARY OF DISTINGUISHED SERVICE.

Also:

H. J. R. 327. MOURNING THE DEATH OF MR. ROBERT BRYANT STRONG OF AUBURN, ALABAMA.

Also:

H. J. R. 330. EXPRESSING APPRECIATION TO THE ALABAMA SYMPHONY ORCHESTRA FOR COURTESIES EXTENDED TO THE LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. J. R. 257

S. J. R. 275

S. B. 31

S. B. 35

S. B. 37

S. B. 38

S. B. 52

S. B. 97

S. B. 169

S. B. 254

S. B. 348

S. B. 353

S. B. 408

S. B. 426

Delivered to the Governor, April 26, 1982, at 12:55 P.M.

S. J. R. 243

S. J. R. 246

S. J. R. 268

S. B. 91

S. B. 182

S. B. 339

S. B. 340

S. B. 509

S. B. 520

S. B. 527

S. B. 532

S. B. 545

S. J. R. 269

S. B. 56

S. B. 66

S. B. 96

S. B. 193

S. B. 267

S. B. 269

S. B. 270

S. B. 300

S. B. 343

S. B. 377

S. B. 386

S. B. 418

S. B. 446

S. B. 477

S. B. 514

S. B. 519

REGULAR SESSION
30th Day

1937

Delivered to the Governor, April 26, 1982, at 9:00 P.M.

S. B. 546

Delivered to the Secretary of State, April 26, 1982, at 9:00 P.M.

S. B. 2

S. B. 8

S. B. 36

S. B. 44

S. B. 47

S. B. 62

S. B. 188

S. B. 215

S. B. 236

S. B. 266

S. B. 312

S. B. 337

S. B. 517

Delivered to the Governor, April 26, 1982, at 10:05 P.M.

S. B. 468

Delivered to the Secretary of State, April 26, 1982, at 10:05 P.M.

S. J. R. 203

S. J. R. 278

S. B. 39

S. B. 86

S. B. 112

S. B. 246

S. B. 276

S. B. 341

S. B. 379

S. B. 387

Delivered to the Governor, April 27, 1982, at 1:05 A.M.

S. J. R. 287

S. J. R. 288

S. B. 102

S. B. 132

S. B. 225

1938

JOURNAL OF THE SENATE, 1982
30th Day

S. B. 275

S. B. 405

Delivered to the Governor, April 27, 1982, at 2:35 A.M.

S. J. R. 291

S. J. R. 292

S. B. 14

S. B. 27

S. B. 45

S. B. 68

S. B. 82

S. B. 98

S. B. 109

S. B. 158

S. B. 179

S. B. 221

S. B. 226

S. B. 244

S. B. 245

S. B. 333

S. B. 369

S. B. 422

S. B. 537

Delivered to the Governor, April 27, 1982, at 5:00 P.M.

S. B. 110

S. B. 502

Delivered to the Secretary of State, April 27, 1982, at 5:00 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REGULAR SESSION
30th Day

1939

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Twenty-Ninth and Thirtieth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

ALBERT McDONALD,
Chairman.

COMMITTEE REPORT

On motion of Mr. McDonald, the foregoing report was concurred in and the Journals of the Senate for the Twenty-Ninth and Thirtieth Legislative Days were approved by the Senate.

ADJOURNMENT

The hour of midnight having arrived, on motion of Mr. Vacca, in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

/s/ McDOWELL LEE,

McDOWELL LEE,
Secretary of Senate.

IN THE LEGISLATURE OF THE STATE OF ALABAMA
STATE SENATE
REGULAR SESSION, 1982
LOBBYIST REGISTRATION

(In accordance with the provisions of Joint Rules of the two
houses of the Alabama Legislature, Rules 15-23)

- Akel, Mary Jane, Alabama Education Association
- Akers, Dawn H., Electronic Data Systems
- Allison, Claude F., Alabama LP Gas Association
- Amos, Doug, Alabama League of Savings Association
- Andrews, Jerry B., Alabama Rural Electric Association.
- Argo, J. Knox, American Insurance Association; Tobacco Institute; Motion Picture Co. of America; DeHart & Associates.
- Arrington, Richard H., Southern Railway Company.
- Bailey, George F., Alabama Railroad Association.
- Bailey, Melvin A., Continental Telephone Company of South.
- Balch, S. Eason, Jr., Alabama Power Company.
- Bargainer, Jon D., Alabama Pharmaceutical Association.
- Baril, Eugene A., General Telephone Company of the Southeast.
- Barker, Elizabeth A., Alabama State Nurses Association.
- Bates, C. W., United States Pipe and Foundry Co.; Jim Walter Resources.
- Benton, J. Robert, Wine Institute.
- Bethea, Joseph P., Chevron U.S.A. Inc. & its parent corporation, Standard Oil of California & subsidiaries.
- Bishop, Gerald H., Fraternal Order of Police, Birmingham Lodge #1.
- Bivin, Joanna, Self.
- Boone, Robert C., Gulf Oil Corporation.
- Bowick, Robert M., 3 M Company.
- Brand, James B., Associated Industries of Alabama.
- Brantley, Tom, The Dow Chemical Company, Merrell Dow Div.
- Brindley, Joe, University of Montevallo.
- Brown, David C., University of North Alabama.
- Burke, Charles W., Distilled Spirits Council of U.S., Inc.
- Burks, Amy, Alabama Education Association.
- Burks, A. A., Alabama A & M University.

Burnett, Roe, Self.

Butler, Linda, Modern Banking Association of Alabama.

Butler, Pete, Alabama State Employees Association.

Carr, Bruce, Laborers International Union.

Carter, James E., Alabama Education Association.

Chamlee, Al, Ciba-Geigy Corporation.

Chapman, Thomas J., Continental Telephone Company of the South/Alabama.

Chastain, Lamar F., Marshall Meadows, Pres. Steelworkers Legislative Committee.

Chestnutt, William F., Union Camp Corporation.

Christie, Martin William, Jim Walter Corporation; U.S. Pipe and Foundry.

Clements, Wallace D., International Brotherhood of Teamsters.

Cloud, John W., Alabama Peace Officers Association; Self.

Cobb, William J., South Central Bell.

Coleman, Thomas L., Jr., Alabama Department of Public Safety (Executive Branch).

Colquett, Cherie E., Alabama State Council on the Arts.

Cook, Robert F., Jr., Birmingham Firefighters Local 117.

Cooper, Elight, Lock 991.

Cornwell, Denise B., Alabama Education Association.

Crawford, Bobby J., Alabama Power Company.

Crawford, Fred C., Alabama Hospital Association.

Crow, Warren B., III, Alabama Independent Insurance Agents.

Crowder, Jerry W., Self.

Cunningham, R. J., Alabama Association of Life Underwriters; Alabama Hotel & Motel Association, Alabama Travel Council; Prof. Agents of Alabama; Alabama Crushed Stone Association; Alabama Beverage Licensees Association; Telepage; Alabama Automatic Merchandising Council.

Da Gian, Glenn, Amoco.

Dakin, Betsy H., Self.

Dakin, Milo, Alabama Consumer Finance Association.

Dart, Thomas R., Alabama Petroleum Council (A.P.I.) Stephen Potter.

Davidson, Rudolph, University of Alabama in Birmingham.

Davis, Janet I., Alabama Education Association.

Dexter, Kendell, MacMillan-Bloedel, Inc..

Dorrill, John H., Alabama Farm Bureau Federation.

Douglas, Jack F., Alabama Citizens Action Program.

Draper, Fred, Alabama Nursing Home Association.

Dykes, Billy S., Alabama Education Association.

Eader, Michael E., Alabama Association of School Boards, Nellie C. Weil, Pres.

Eden, Tom, Alabama Textile Manufacturers Association.

Falkenburg, Francis S., Direct Oil Corporation; Office Prosecution Services; Computer Election Systems; Consolidated Freightways.

Fine, Joe, Drummond Coal Company; Mutual Savings Life Insurance Company.

Finley, Robert, Alabama Department of Public Health.

Flanagan, N. H., United Transportation Union.

Ford, Paul B., Self.

Foster, James Allen, Alabama Education Association.

Foster, Yvonne, G., Alabama Education Association.

Frost, Clarence, AFL-CIO Alabama Labor Council.

Gaines, Robert Earl, Alabama Education Association.

Gallion, Thomas T., III, The Alliance.

Gean, Shirley J., Alabama Education Association.

Gibbs, Dail, Alabama Rural Electric.

Gilbert, Don, Independent Bankers; Alabama Trial Lawyers.

Gibson, Don, Troy State University.

Goldman, Joe, Aluminum Co. of America (ALCOA).

Graffeo, Michael G. (Mike), City of Birmingham.

Grant, William B., Alabama Chiropractic Association.

Gray, James A., Alabama Road Builders Association, Inc.

Green, William L., Alabama By-Products Corporation.

Groome, James H., Mead Corporation.

Gwin, Robert W., Self.

Haisten, Florette, University of Alabama in Huntsville.

Hallam, Philip G., Alabama Wholesale Beer and Wine Association.

Hamilton, D. N., Alabama League of Municipalities; Am. Rec. Ins. Assn.; Jim Walter Corp.; South Alabama State Fair Association, Inc.; Alabama State Nursing Association.

Hansen, John Peter, Alabama Pharmaceutical Association.

Hardin, James Taylor, Central Bancshares of the South; 3 M Corporation.

Harper, Robert, Birmingham Regional Hospital Council.

Harper, Sentell, Reynolds Aluminum.

Harris, James D., Jr., Association of Alabama Life Insurance Companies; Health Ins. Assn. of America.

Harris, Patrick, Unified Judicial System.

Harris, Roosevelt A., Alabama Education Association.

Hartsell, Charles Ray, Blue Cross-Blue Shield of Alabama.

Holley, Debra H., Alabama Association of School Boards.

Holsenbeck, Dan, Auburn University.

Hubbert, Paul, Alabama Education Association.

Hughes, Fred Hendrix, Alabama Education Association.

Hydrick, Robert T., The Mead Corporation.

Ingram, Kenneth F., Alabama Circuit Judges Association.

Ireland, Dennis L., ALCAP (Alabama Council on Alcohol Problems).

Jackson, G. I., Alabama Political and Legislative Com-CWA (APLC-CWA).

James, Ann S., Alabama Congress of Parents and Teachers.

Jemison, Mays R., Shredder's, Inc.

Jenkins, Linda B., Alacaid.

Johnson, John B., Alabama Petroleum Council.

Johnston, J. Reese, Jr., Jefferson County.

Katz, Jane L., Coalition Committee for Social Work Licensure.

Kearley, Frances, Alabama Education Association.

Kelly, H. Boyd, Jr., Alabama Forestry Association.

Kelly, Michael P., Self.

Key, Robert E. L., Circuit Judges Association.

Kimbrough, Hardie B., Alabama Association of Circuit Judges.

Knipe, William A., Retired State Employee—Revenue Department (Self).

Livingston, Edwin K., Alabama Tax Assessors and Collectors.

Lollar, Wilburn R., United Mine Workers of America.

Longerbeam, F. Thomas, Motor Vehicle Manufacturers Association.

Knight, Loretta, Alabama Education Association.

Lowden, James E., Jr., Alabama Christian Education Association.

Lumpkin, Wilbur R., Self.

McAnally, William D., Fraternal Order of Police Lodge #64.

McBee, Douglas M., Fraternal Order of Police, State wide.

McCluskey, Murray P., Council for the Advancement of Private Colleges.

McDonald, Charles, Alabama Retail Association.

McGarr, Steven Gregory, Building Material Merchants Association.

McGregor, Tom, Alabama Gas Corporation.

McLaurin, Stewart P., Food Industries of Alabama; Alabama Restaurant & Food Service Association.

McMahan, Wayne, Alabama Dental Association.

McMinn, Richard C., Jr., Fraternal Order of Police Lodge 64.

McRae, Randy, Jr., Alabama Chamber of Commerce.

Martin, Fletcher, Alabama Rural Electric Cooperative.

Martin, Robert A., Administrative Office of Courts.

Masters, Jeffrey, Associated Builders and Contractors, Inc.

Mawhinney, H. A. "Art", Alabama Wholesale Beer and Wine Association.

Meadows, Marshall, United Steelworkers.

Miller, Largent M., Alabama-Mississippi Independent Telephone Association.

Mitchell, Wendell, Alabama Bankers Association, Production Credit Associations of Alabama; Alabama State Employees Association.

Mobley, Gilbert, Associated Industries of Alabama.

Moore, Marie L., Alabama Alliance of Allied Health.

Morgan, Jackie G., Alabama Education Association.

Murphy, Mrs. Elaine, Alabama Retired Teachers Association.

Murphy, Joseph C., Alabama Education Association.

Murray, William P., Birmingham Firefighters.

Myers, James William, A. H. Robins Company, Inc.

Neira, Rebecca J., Alabama Education Association.

Newman, Katherine B., AEA-ASPO Field Staff.

Nix, Lloyd, Communication Workers of America.

O'Connor, William F., Jr., Alabama Press Association.

O'Rear, William G., Mid-Continent Oil & Gas Association.

Parker, William G., Alabama Education Association.

Parsons, Milton K., Alabama Farm Bureau Federation.

Perry, T. Dudley, Probate Judges Association, Ala. State Policemen's Assn.

Pinion, Albert G., Pacific Intermountain Express.

Pouncey, W. T., Brotherhood Maintenance of Way Employees.

Pounders, Diane G., Alabama Farm Bureau Federation.

Powell, Jerry A., Jr., Alabama Nursing Home Association.

Pregno, Nanette, United Transportation Union.

Prier, Claude S., Fraternal Order of Police.

Pruitt, Terry, Alabama State Employees Association.

Quinn, Randy, Alabama Association of School Board.

Rainer, Betty, Alabama Education Association.

Rea, Smith, Jr., Associates Corporation of North America.

Reaves, Randolph P., Alabama State Bar.

Rice, Dr. Norman, Jefferson County Board of Education.

Richardson, E. Clark, Alabama Power Company.

Richardson, Leon, Alabama Rural Electric Association.

Ritchie, James I., Alabama Trucking Association.

Robertson, Stephen W., Health Insurance Association of America.

Rodawig, Eric, Household International, Inc.

Roper, William L., Alabama Department of Public Health.

Roquemore, Perry Crawford, Jr., Alabama League of Municipalities.

Rowe, Charlie, Jacksonville State University.

Russell, Robert J., Alabama Association of Realtors; Assoc. General Contractors of America, Inc.; National Automobile Transportation Association; Ala. Podiatrist Assn.

Russell, Roy Otis, Alabama Concrete Industries, Inc.

Sasser, James T., Alabama Psychological Association.

Schweitzer, Wayne F., Delta Air Lines, Inc.

Sharpe, Virginia L., Alabama Education Association.

Sharpless, Oscar, Association of County Commissions of Alabama.

Shelton, Thomas R., Self.

Short, Ed, Alabama Rural Electric.

Shumaker, Stephen R., Alabama Education Association.

Simpson, James T., University of Alabama in Huntsville.

Skinner, T. Julian, Jr., Alabama By-Products Corporation.

- Smiley, Robert D., Jr., Alabama Education Association.
Smith, Carl R., Southtrust Corporation.
Smith, Jacqueline, Alabama Education Association.
Smith, Paul M., Jr., Alabama State Employees Association.
Smith, Joseph Wilson, Alabama Chamber of Commerce.
Smith, Maurice, Teamster Local 667 Joint Council 87.
Smith, Philip H., Talladega College.
Smith, Walter Clifford, II, Alabama Chamber of Commerce.
Sorrells, Reginald Lee, Association of County Commissions of Alabama.
Spencer, Jerry, Modern Banking Association of Alabama.
Spratt, Ronald Lee, City of Birmingham.
Spruiell, Clemit W., Livingston University.
Stansell, Ted M., L. W. Loyd Co.; Wilson & King.
Stone, Robin, Republic Steel Corporation.
Strain, Robert E., U.S. Steel Corporation.
Street, James A., Alabama Council for School Administration and Supervision.
Streetman, Harold E., Automobile Dealers Association of Alabama, Inc.
Stringer, Benjamin, Alabama Education Association.
Sullivan, Thomas R., Fire Fighters Local 117.
Sumners, Wayne, Alabama Education Association.
Tackett, Bruce A., Exxon Company.
Tankersley, Phil, Alabama State Employees Association.
Teague, Barry E., Investment Company Institute.
Thiemonge, Frank, Jr., Alabama Safety Council, Inc.
Tilton, Bill L., Consolidated Freightways.
Timmons, Robert D. "Bobby", Alabama Sheriffs Association.
Tipton, Guy, Laborers Local Union #1317.
Trammell, A. G., Alabama AFL-CIO.
Trexler, Ann, Alabama Education Association.
Trotter, Mrs. Glenda, Alabama Congress of P.T.A.
Tye, Marvin F., Alabama Wildlife Federation.
Tyner, Larry, Weyerhaeuser Company.
Underwood, Kenneth, South Central Bell.
Ussery, John B., Wiregrass Electric Coop., Inc.

Vaughan, Howard, Liberty National Life Insurance Company.

Walker, Margaret N., Alabama Alliance of Allied Health.

Ward, James E., Alabama State Federation of Teachers.

Wares, Margaret Bonds, Self.

Wasson, Don F., Alabama Mining Institute.

Watkins, John F., Alabama League of Municipalities.

Webb, Ellen F., Alabama State Nurses Association.

Weeks, Barney, Alabama Labor Council, AFL-CIO.

Weidler, Mary B., Civil Liberties Union of Alabama.

Welch, Felix M., Dept. of Agriculture & Industries.

Wethington, L. R., Montgomery Firefighters Association, Glen Foshee President.

Whitehead, Jenna, Alabama Women's Agenda.

Whitaker, Richard C., Medical Association of the State of Alabama.

Williams, Vicki C., Alabama Credit Union League.

Wilson, Grider, Alabama State Employees Association.

Wilson, R. Bates, Jim Walter Corporation; U.S. Pipe and Foundry.

Wilson, Robert T., Blue Cross-Blue Shield.

Windham, Paul E., Jr., Electric Data Systems.

Word, Troy, URW Local 12.

Worthy, Mildred J., Alabama Education Association.

Yeaman, James O., Horizons Management Group, Inc.; Alabama Alarm Association; Alabama Assn. Convenience Stores; Alabama Assn. United Ways; Alabama Society Hospital Pharmacists; National Federation Independent Business.

1982

Sixteenth Senatorial District
Ryan deGraffenried, Jr. P. O. Box 2427, Tuscaloosa 35401

Seventeenth Senatorial District	
Doug Cook	P. O. Box 6223-A, Tarrant 35217
Eighteenth Senatorial District	
Lister Hill Proctor	121 North Norton Ave., Sylacauga 35150
Nineteenth Senatorial District	
John A. Teague	P. O. Box 427, Childersburg 35044
Twentieth Senatorial District	
Donald G. Holmes	1915 Robinhood Dr., Oxford 36203
Twenty-first Senatorial District	
T. D. "Ted" Little	P. O. Box 342, Auburn 36830
Twenty-second Senatorial District	
G. J. "Dutch" Higginbotham	Troy State University, Savage Drive, Phenix City 36867
Twenty-third Senatorial District	
Mike Weeks	P. O. Box 322, Troy 36081
Twenty-fourth Senatorial District	
Chip Bailey	P. O. Box 6791, Dothan 36302
Twenty-fifth Senatorial District	
Wallace Miller	100½ No. Main, Enterprise 36330
Twenty-sixth Senatorial District	
Don Harrison	516 S. Perry St., Montgomery 36104
Twenty-seventh Senatorial District	
Bishop N. Barron	P. O. Box 221, Montgomery 36101
Barry Teague	P. O. Box 586, Montgomery 36101
Twenty-eighth Senatorial District	
Cordy Taylor	P. O. Box 596, Prattville 36067
Twenty-ninth Senatorial District	
Earl Goodwin	Rt. 7, Box 488, Selma 36701
Thirtieth Senatorial District	
Edward D. "Big Ed" Robertson	P. O. Box 331, Northport 35476
Thirty-first Senatorial District	
Reo Kirkland, Jr.	P. O. Box 646, 102 St. Joseph, Brewton 36426
Thirty-second Senatorial District	
Robert I. "Bob" Gullede	P. O. Drawer 3376, Robertsdale 36567
Thirty-third Senatorial District	
Michael A. Figures	1407 Davis Avenue, Mobile 36603
Thirty-fourth Senatorial District	
H. L. "Sonny" Callahan	P. O. Box 1208, Mobile 36601
Thirty-fifth Senatorial District	
Bob Glass	733 Lakeshore Dr. W., Mobile 36609

STANDING COMMITTEES
OF THE
ALABAMA STATE SENATE
1982

FINANCE AND TAXATION

Pearson, Chairman; Little, Vice-Chairman; Barron, Callahan, Cook, Denton, Glass, Gullede, Higginbotham, Holmes, Keener, McDonald, Miller, Mitchem, Proctor, Robertson, Smith, St. John, Taylor, Vacca.

RULES

McDonald, Chairman; Harrison, Vice-Chairman; Teague, Higginbotham, Mitchem, Pearson, St. John.

JUDICIARY

deGraffenried, Chairman; Figures, Vice-Chairman; Britnell, Cook, Harrison, Hilliard, Keener, Kirkland, Parsons, Proctor, Robertson, Teague (B), Teague (J), Vacca, White.

GOVERNMENTAL AFFAIRS

Smith, Chairman; Martin, Vice-Chairman; Bailey, Cook, Denton, Figures, Gullede, Hall, Hilliard, Holmes, Lemaster, Parsons, Proctor.

AGRICULTURE, CONSERVATION AND FORESTRY

Mitchem, Chairman; Kirkland, Vice-Chairman; Bailey, Britnell, Denton, Figures, Goodwin, Gullede, Hall, Lemaster, Little, Martin, Miller, Taylor, Weeks.

BUSINESS AND LABOR RELATIONS

Keener, Chairman; Taylor, Vice-Chairman; Callahan, Figures, Glass, Harrison, Hilliard, Little, Weeks.

EDUCATION

Higginbotham, Chairman; Hall, Vice-Chairman; Bailey, Britnell, Goodwin, Hilliard, Little, Taylor, White.

HEALTH AND WELFARE

White, Chairman; Proctor, Vice-Chairman; Britnell, deGraffenried, Denton, Harrison, Holmes, Miller, Smith.

BANKING AND INSURANCE

Bailey, Chairman; Callahan, Cook, Glass, Goodwin, Gullede, Higginbotham, Lemaster, Martin, Parsons, Taylor, Teague (B), Teague (J), Vacca, Weeks.

COMMERCE, TRANSPORTATION AND UTILITIES

Teague (J), Chairman; Callahan, Vice-Chairman; Goodwin, Keener, Kirkland, Martin, Parsons, Weeks, White.

LOCAL LEGISLATION NO. 1

Holmes, Chairman; Lemaster, Vice-Chairman; Callahan, deGraffenried, Figures, Glass, Mitchem, McDonald, Robertson, Smith, St. John.

LOCAL LEGISLATION NO. 2

Vacca, Chairman; Hall, Vice-Chairman; Cook, Hilliard, Parsons, Pearson, Proctor, White.

STANDING COMMITTEE ASSIGNMENTS**FOR 1982****ALABAMA STATE SENATE****24th District**

CHIP BAILEY—Chairman, Banking and Insurance; Governmental Affairs; Agriculture, Conservation and Forestry; Education.

2nd District

CHARLIE BRITNELL—Judiciary; Agriculture, Conservation and Forestry; Education; Health and Welfare.

34th District

H. L. "SONNY" CALLAHAN—Vice-Chairman, Commerce, Transportation and Utilities; Finance and Taxation; Business and Labor Relations; Banking and Insurance; Local Legislation No. 1.

17th District

DOUG COOK—Finance and Taxation; Judiciary; Governmental Affairs; Banking and Insurance; Local Legislation No. 2.

16th District

RYAN deGRAFFENRIED, JR.—Chairman, Judiciary; Health and Welfare; Local Legislation No. 1.

1st District

BOBBY DENTON—Finance and Taxation; Governmental Affairs; Agriculture, Conservation and Forestry; Health and Welfare.

33rd District

MICHAEL A. FIGURES—Vice-Chairman, Judiciary; Governmental Affairs; Agriculture, Conservation and Forestry; Business and Labor Relations; Local Legislation No. 1.

35th District

BOB GLASS—Finance and Taxation; Business and Labor Relations; Banking and Insurance; Local Legislation No. 1.

29th District

EARL GOODWIN—Agriculture, Conservation and Forestry; Education; Banking and Insurance; Commerce, Transportation and Utilities.

32nd District

ROBERT I. "BOB" GULLEDGE—Finance and Taxation; Governmental Affairs; Agriculture, Conservation and Forestry; Banking and Insurance.

5th District

ROBERT "BOB" HALL—Vice-Chairman, Education; Vice-Chairman, Local Legislation No. 2; Governmental Affairs; Agriculture, Conservation and Forestry.

26th District

DON HARRISON—Vice-Chairman, Rules; Judiciary; Business and Labor Relations; Health and Welfare.

22nd District

G. J. "DUTCH" HIGGINBOTHAM—Chairman, Education; Finance and Taxation; Rules; Banking and Insurance.

15th District

EARL F. HILLIARD—Judiciary; Education; Business and Labor Relations; Governmental Affairs; Local Legislation No. 2.

20th District

DONALD G. HOLMES—Chairman, Local Legislation No. 1; Finance and Taxation; Governmental Affairs; Health and Welfare.

10th District

LARRY H. KEENER—Chairman, Business and Labor Relations; Finance and Taxation; Judiciary; Commerce, Transportation and Utilities.

31st District

REO KIRKLAND, JR.—Vice-Chairman, Agriculture, Conservation and Forestry; Judiciary; Commerce, Transportation and Utilities.

8th District

JAMES LEMASTER—Vice-Chairman, Local Legislation No. 1; Governmental Affairs; Agriculture, Conservation and Forestry; Banking and Insurance.

21st District

T. D. "TED" LITTLE—Vice-Chairman, Finance and Taxation; Agriculture, Conservation and Forestry; Business and Labor Relations; Education.

3rd District

CHARLES B. MARTIN—Vice-Chairman, Governmental Affairs; Agriculture, Conservation and Forestry; Banking and Insurance; Commerce, Transportation and Utilities.

6th District

ALBERT McDONALD—Chairman, Rules; Finance and Taxation; Local Legislation No. 1.

25th District

WALLACE MILLER—Finance and Taxation; Agriculture, Conservation and Forestry; Health and Welfare.

9th District

HINTON MITCHEM—Chairman, Agriculture, Conservation and Forestry; Finance and Taxation; Rules; Local Legislation No. 1.

14th District

MAC PARSONS—Judiciary; Governmental Affairs; Banking and Insurance; Commerce, Transportation and Utilities; Local Legislation No. 2.

13th District

J. RICHMOND PEARSON—Chairman, Finance and Taxation; Rules; Local Legislation No. 2.

18th District

LISTER HILL PROCTOR—Vice-Chairman, Health and Welfare; Finance and Taxation; Judiciary; Governmental Affairs; Local Legislation No. 2.

30th District

EDWARD D. "BIG ED" ROBERTSON—Finance and Taxation; Judiciary; Local Legislation No. 1.

4th District

FINIS ST. JOHN—Finance and Taxation; Rules; Local Legislation No. 1.

7th District

BILL SMITH—Chairman, Governmental Affairs; Finance and Taxation; Health and Welfare; Local Legislation No. 1.

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CORDY TAYLOR—Vice-Chairman, Business and Labor Relations; Agriculture, Conservation and Forestry; Education; Banking and Insurance.

27th District

BARRY TEAGUE—Judiciary, Banking and Insurance

19th District

JOHN A. TEAGUE—Chairman, Commerce, Transportation and Utilities; Rules; Banking and Insurance.

12th District

PASCHAL P. "PAT" VACCA—Chairman, Local Legislation No. 2; Finance and Taxation; Judiciary; Banking and Insurance.

23rd District

MIKE WEEKS—Agriculture, Conservation and Forestry; Business and Labor Relations; Banking and Insurance; Commerce, Transportation and Utilities.

11th District

DEWEY WHITE—Chairman, Health and Welfare; Judiciary; Education; Commerce, Transportation and Utilities; Local Legislation No. 2.

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Charles H. Adams, 66	Roy W. Johnson, Jr., 47
H. H. "Bill" Adams, 30	Phillip "Phil" B. Kelley, 26
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**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA**

1982

REGULAR SESSION

JOE C. McCORQUODALE, JR., *Speaker*, Jackson

RICHARD S. (RICK) MANLEY
Speaker Pro-Tem, Demopolis

JOHN W. PEMBERTON, *Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	John E. Higginbotham	Rt. 11, Box 158, Florence 35630
2	LAUDERDALE	Nelson R. Starkey, Jr.	158 Cedarcrest Drive, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN	Tom Coburn	1107 E. Third St., Tuscumbia 35674
4	COLBERT, FRANKLIN	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35660
5	FRANKLIN, MARION	Wayne Cobb	Rt. 4, Hamilton 35570
6	LAMAR, MARION, FAYETTE	Charles T. Gilmer	P. O. Box 665, Vernon 35592
7	LAWRENCE, MORGAN	S. R. (Sam) Letson	P. O. Box 156-B, Moulton 35650
8	MORGAN	Robert E. (Bob) Patton	P. O. Box 786, Decatur 35601
9	MORGAN	Tommy Ed Roberts	Brookwood Street, P. O. Box 1298, Hartselle 35640
10	MORGAN, CULLMAN	Steve Cooley	P. O. Box 1186, Cullman 35055
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12	WINSTON, WALKER	Carl C. Brakefield	P. O. Box G, Carbon Hill 35549

- 13 WALKER
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- 14 JEFFERSON, BLOUNT
Earl Cheatwood Rt. 1, Box 932, Warrior 35180
- 15 JEFFERSON
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- 16 LIMESTONE
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- 17 LIMESTONE, MADISON
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- 18 MADISON
Frank H. Riddick 7804 Lauderdale Rd., S. W.,
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- 19 MADISON
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- 20 MADISON
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Huntsville 35811
- 21 MADISON
Martha Jo Smith 1700 Big Cove Rd., S. E.,
Huntsville 35801
- 22 MADISON, JACKSON
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- 23 JACKSON
Cecil Shavers Jackson County Court House,
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- 24 JACKSON, DeKALB
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- 26 MARSHALL
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- 27 BLOUNT, ETOWAH, MARSHALL
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- 28 ETOWAH
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- 29 ETOWAH
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- 32 JEFFERSON
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- 34 JEFFERSON
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- 39 JEFFERSON
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- 40 JEFFERSON
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- 42 JEFFERSON
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- 43 JEFFERSON
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- 48 TUSCALOOSA, BIBB
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- 49 TUSCALOOSA, JEFFERSON
Asbury Howard 1930 Exeter Ave., Bessemer 35020
- 50 JEFFERSON
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- 51 JEFFERSON, SHELBY
J. T. (Jabo) Waggoner, Jr. 1829 Mission Rd.,
Birmingham 35216
- 52 JEFFERSON, SHELBY, TALLADEGA
Sonny Moore P. O. Box 44,
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- 53 CHILTON, SHELBY
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- 54 COOSA, TALLADEGA
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- 55 TALLADEGA
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- 58 CALHOUN
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- 59 CALHOUN
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- 60 CLAY, CLEBURNE, TALLADEGA
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- 61 RANDOLPH, CHAMBERS
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- 62 TALLAPOOSA, CHAMBERS
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- 64 CHAMBERS, LEE
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- 65 LEE, RUSSELL, BARBOUR
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- 66 RUSSELL
Charles Adams P. O. Box 967, Phenix City 36867
- 67 MACON, BULLOCK
Thomas Reed Drawer EE, Tuskegee Institute,
Tuskegee 36088

- 68 **PIKE, COFFEE, BULLOCK, BARBOUR**
James E. Ray 104 Woodland Circle,
Troy 36081
- 69 **DALE, BARBOUR, HENRY**
James G. Sasser 1208 Skipperville Rd.,
Ozark 36360
- 70 **HOUSTON, HENRY, BARBOUR**
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- 71 **HOUSTON**
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- 72 **DALE**
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- 73 **GENEVA, COVINGTON, HOUSTON**
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- 74 **COVINGTON, COFFEE**
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- 75 **COVINGTON**
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- 78 **MONTGOMERY, CRENSHAW**
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- 79 **MONTGOMERY**
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- 80 **MONTGOMERY**
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- 81 **MONTGOMERY**
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- 82 **AUTAUGA, ELMORE, LOWNDES, MONTGOMERY**
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- 86 **DALLAS, PERRY, MARENGO**
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- 87 MARENGO, SUMTER, HALE, GREENE
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 - 88 GREENE, PICKENS, TUSCALOOSA, HALE
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 - 100 MOBILE
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 - 102 MOBILE
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 - 103 MOBILE
Yvonne Kennedy 1205 Glennon Ave., Mobile 36603
 - 104 MOBILE
George Stewart 4413 S. Shan Dr., Mobile 36609
 - 105 MOBILE
Taylor F. Harper P. O. Box 208, Grand Bay 36541
-

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Callaway, mr. Lee, death mourned—

SR 168, page 782

Cantrell, former senator Barry Lynchmore, best wishes for speedy recovery—

SR 217, page 1093

Chambers, judge Joseph Vernon, death mourned—

SR 143, page 547

Cobb, colonel Edward R., death mourned—

SJR 17, pages 119, 152, 167, 205, 382, Act 82-51

Dean, mrs. Ilah Nation, death mourned—

SJR 229, pages 1165, 1264, 1330, 1393, Act 82-287

Denton, mrs. Lillie Mae, mother of senator Denton, death mourned—

SJR 141, pages 531, 703, 715, 796, Act 82-132

Driver, mr. William Horace, death mourned—

SR 290, page 1758

Evans, mrs. Willella Watson, death mourned—

SR 146, page 551

Glyde, professor Edgar C., death mourned—

SR 181, page 876

Howell, mr. Dennis B., Jr., death mourned—

SJR 5, pages 68, 167, 204, 382, Act 82-45

Jordan, mr. James V. "Jake", speedy recovery wished—

SJR 198, pages 922, 1174, 1210, 1326, 1393, Act 82-226

King, mr. Pascal Berry, death mourned—

SR 200, page 946

Kirkland, miss Carolyn, death mourned—

SR 185, page 876

Kirkland, mr. Milton Patrick, death mourned—

SR 186, page 376

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- Lawson, mr. James Levi, death mourned—
SR 220, page 1099
- Lewis, mrs. Marie Reynolds, death mourned—
SJR 257, pages 1448, 1650, 1691, 1935, Act 82-468
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- Lowry, major Norman L., III, death mourned—
HJR 53, pages 117, 152, 184, Act 82-19
- Mays, air force captain Willie, death mourned—
HJR 53, pages 117, 152, 184, Act 82-19
- McCord, Mary Pearl, Montgomery police officer, death mourned—
HJR 27, pages 97, 135, 151, Act 82-15
- Melacon, captain Mark E., death mourned—
HJR 53, pages 117, 152, 184, Act 82-19
- Parker, mr. Billie H., death mourned—
SR 2, page 36
- Parks, the reverend Raymond T., death mourned—
SR 167, page 782
- Payne, mr. L. C. Kirk, former mayor of Alabaster, death mourned—
HJR 280, pages 1118, 1600, 1933, Act 82-592
- Peterson, air force captain, Joseph, death mourned—
HJR 53, pages 117, 152, 184, Act 82-19
- Russell, mr. Thomas Dameron, death mourned—
SJR 21, pages 136, 153, 234, 340, 382, Act 82-57
HJR 65, pages 164, 193, 231, Act 82-24
- Sparks, mr. John, wished speedy recovery—
HJR 6, pages 100, 135, 150, Act 82-6
- Stephens, mrs. Mathilda Hogan, death mourned—
HJR 71, pages 162, 193, 231, Act 82-26
- Watson, mrs. Margaret Simmons, death mourned—
SR 231, page 1178
- Rodgers, dr. Eric, former dean of graduate school, university of Alabama,
death mourned—
HJR 286, pages 1158, 1225, 1268, Act 82-261
- Strong, mr. Robert Bryant, death mourned—
HJR 327, pages 1273, 1590, 1935, Act 82-608
- Williams, mrs. Mildred Simms, death mourned—
HJR 404, pages 1776, 1810, Act 82-535
- Woolfolk, mrs. Mary Jane, death mourned—
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- Aaron, Henry "Hank", on being named to baseball hall of fame—
HJR 57, pages 133, 152, 184, Act 82-22

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Alabama river woodlands, incorporated—
SJR 10, pages 93, 134, 167, 205, 382, Act 82-47

American tree farm system—
SJR 11, pages 94, 134, 167, 205, 382, Act 82-48

Atlanta braves baseball team—
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SJR 291, pages 1778, 1924, 1938, Act 82-613

Atwell, ms. Ruth Ann, commended on career as legal secretary—
HJR 121, pages 397, 582, 598, Act 82-104

Auburn golf team, 1981 SEC champion—
SJR 33, pages 174, 219, 306, 341, 382, Act 82-61

Auburn university women's basketball team—
SJR 260, pages 1451, 1624, 1658, 1679, Act 82-391

Auburn university women's swim team—
SJR 250, pages 1449, 1623, 1658, 1679, Act 82-390

Austin high school, Decatur, for record-setting blood drive—
SJR 232, pages 1191, 1264, 1330, 1393, Act 82-288

Autaugaville high school basketball team—
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Averett, mr. Ted, Enterprise civic leader—
SJR 171, pages 784, 878, 914, 1203, Act 82-197
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Barnes, chief Ray, Dothan fire department—
SJR 254, pages 1435, 1623, 1657, 1679, Act 82-387

Barron, senator Bishop, on appointment to the court of criminal
appeals—
SJR 134, pages 496, 703, 714, 796, Act 82-128

Bartow, coach Gene, of UAB—
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Bayside academy of Daphne, Alabama, recipient of "George Washington
Honor Medal"—
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Benjamin Russell high school wrestling team commended—
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Bergeron industries, inc., for selecting Alabama for industrial
expansion—
HJR 351, pages 1459, 1481, Act 82-339

Bethune, airman apprentice Jeffery W., for extraordinary bravery—
HJR 223, pages 907, 919, 944, 1191, Act 82-185

Bookout, honorable John G., former appellate court judge, commended—
HJR 217, page 905

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- Brown, major general Arthur E., jr., honored for military career—
SJR 139, pages 510, 530, 703, 715, 796, Act 82-131
- Bruce, coach Herbert Edwin (Ed), jr., commended—
HJR 69, pages 163, 220, 306, 339, Act 82-35
- Buckelew, mr. Hal C., Oneonta citizen of the year—
HJR 187, pages 706, 919, 944, Act 82-181
- Buckelew, mrs. Pennie, commended for meritorious service with legislative fiscal office—
SJR 266, pages 1567, 1622, 1658, 1679, Act 82-397
- Burgess, mr. Fred W., on his retirement—
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- Burkhalter, Robyn Ann, national 4-H scholarship winner—
SR 277, page 1687
- Butler, mrs. Mary Kimbro, on publication of her novel—
SJR 192, pages 918, 1207, 1330, 1393, Act 82-285
- Buzbee, coach Dwight, Benjamin Russell high school wrestling team—
SR 136, page 497
- Cavanaugh, Caroline S., for publication, "Alabama the beautiful"—
HJR 114, pages 352, 1688, 1719, Act 82-478
- Chasteen, dr. James R., on outstanding administrator award—
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- Chestnut, miss Neile, Wilcox county academy, on athletic and scholastic achievement—
HJR 205, pages 774, 875, 910, Act 82-169
- Coaker, mr. Ray, commending on outstanding public service—
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- Coe, mrs. Mary Eleanor, on 93rd birthday—
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- Cofield, police lieutenant Mark W., for heroism—
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- Coker, mr. Arthur Hampton, jr., on retirement at Troy state university—
SJR 90, pages 416, 435, 703, 714, 796, Act 82-126
- Collins, mr. J. T., of Athens, outstanding citizen—
SJR 278, pages 1688, 1796, 1822, 1937, Act 82-545
- Collins, mrs. Marva Deloise Nettles, on educational achievements—
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- Collins, mrs. Marva Nettles, on her career in education—
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- Collins, fireman Troy, for heroism—
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Cook, the rev. George, jr., man of the year, Birmingham's young men's business club—

SR 282, page 1718

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Crawford, Charles Gordon, happy birthday—

SR 3, page 68

Crawford, mr. Joe R., Morgan county "cattleman of the year"—

HJR 112, pages 352, 375, 384, Act 82-75

Crump, mr. Mureal, H. S. Jaycees distinguished service award recipient—

HJR 75, pages 174, 287, 341, Act 82-42

Crumpton, mr. Henry E., on retirement—

HJR 108, pages 352, 375, 348, Act 82-74

Curry, the rev. David Crawford, commended—

HJR 304, pages 1175, 1212, Act 82-233

Dadeville high school on football championship—

HJR 9, pages 101, 135, 150, Act 82-9

Davis, dr. Donald E., commended for services to Auburn university—

HJR 298, pages 1159, 1600, 1934, Act 82-596

Davis, dr. Leon, president of national association of intercollegiate athletics—

HJR 272, pages 1115, 1589, 1933, Act 82-588

Dothan fire department—

SJR 254, pages 1435, 1623, 1657, 1679, Act 82-387

Dragoin, coach Anthony, Auburn golf team—

SJR 33, pages 174, 219, 306, 341, 382, Act 82-61

Elliott, mr. Carl, appreciation to expressed—

HJR 287, pages 1158, 1600, 1934, Act 82-594

Elliott, Patricia Ann, commended, retirement from Alabama lung association—

SJR 262, pages 1559, 1622, 1658, 1679, Act 82-393

Elrod, mrs. Selma, on retirement—

SR 242, page 1336

Engle, astronaut, Joe Henry, commended—

HJR 3, pages 37, 80, Act 82-2

Eufaula high school tigers, 1981 state 3A football champions—

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Fairhope high school marching band, invited to apple blossom festival—

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First Baptist church, Opp, on 80th anniversary—

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- Ford, coach Danny, "football coach of the year"—
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- Frazier, mrs. Elva Brindley, on "Elva Brindley day"—
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- Gafford, rep. Bob, for his parliamentary ability—
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- Gardendale high school's champion football team—
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- Gardner, mr. and mrs. Tom, on birth of a daughter—
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- Garrett, Dennis, Winterboro high school, for outstanding achievement—
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- Gatlin, mr. Charlie, commended for outstanding academic achievement—
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- Geddie, mr. and mrs. Robert B., jr., on birth of a daughter—
SJR 55, pages 285, 399, 420, 795, Act 82-81
- Gilbert, mrs. Bertie Poos, central Baldwin county's woman of the year—
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- Giles, senior forward Chris, of UAB blazers, commended—
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- Gloor, mr. Thomas Wayne, distinguished public servant—
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- Grant, mr. Steven, on outstanding athletic career—
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- Gray, mr. Charles H., and mrs. Bessie Thurman, for contributions to education—
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- Greater st. Paul A.M.E. church of Florence, commended—
HJR 11, pages 97, 218, 239, Act 82-29
- Green, mrs. Shelby Jean, Randolph county woman of the year—
SR 202, page 946
- Hadley, mr. John T., on meritorious service to Foley—
SR 249, page 1392
- Haleyville high school girls basketball team, 3A champions—
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- Hamilton, mr. Bill, commended for heroic rescue—
HJR 87, pages 235, 359, 372, Act 82-65
- Hamilton high school ninth grade basketball team—
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Hand, all-American football player Jon, of Sylacauga high school—
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Hand, John, all-American from Sylacauga high school—
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Hannah, mr. John, on outstanding athletic career—
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Hataway, George, Jr., on retirement—
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Haywood, the rev. George, honored on 101st birthday—
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Haywood, the rev. George, on 101st birthday—
HJR 401, pages 1780, 1810, Act 82-533

Hemphill, miss Candice, governor of youth legislature, commended—
HJR 311, pages 1261, 1600, 1934, Act 82-599

Hendrix, miss Jamie, Alabama's junior miss—
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Hewitt-Trussville junior high school wrestling team commended—
HJR 263, pages 989, 1589, 1932, Act 82-586

Hines, representative Brooks, commended, retirement from legislature—
SJR 265, pages 1561, 1622, 1658, 1679, Act 82-396

Holland, mr. Mark, commended, saving life of child—
SR 273, page 1616

Homewood high school patriot band—
SJR 157, pages 710, 764, 802, 1203, Act 82-158

Hood, mrs. Linda, president of the United States Jayceettes—
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Horton, mr. J. Ed, charter member of livestock hall of fame—
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Hueytown high school swingers show choir, for their performance for the legislature—
SJR 175, pages 804, 878, 915, 1203, Act 82-198

Hughes, coach Nelson, commended—
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Hutcheson, mrs. Carolyn, for hospitality shown to Cahaba committee—
HJR 256, pages 988, 1228, 1267, Act 82-258

Isley, mr. Raymond J., of Birmingham—
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Ivey, miss Kay, commended—
HJR 376, pages 1639, 1697, Act 82-447

Jackson high school aggies, championship basketball season—
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- Jacksonville state university on 100th anniversary—
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- Jacksonville state university on 100 years of service—
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- Jacksonville state university marching band commended—
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- James, governor Fob, for service rendered during severe weather—
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- Jewish community center, Birmingham, on 75th anniversary—
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- Jones, rev. Percy W., of greater st. Paul A.M.E. church of Florence,
commended—
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- Kacker, mr. Jim, commended for heroic rescue—
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- Kenamer, fireman Jimmy, for heroism—
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- Kenney, sergeant Gary, on apprehension of coin show robbers—
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- Kent, mr. and mrs. Otis, on 62nd wedding anniversary—
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- Kirwah, father James D., man of the year in Baldwin county—
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- Kostelecky, mr. Jerry, sr., Silverhill citizen of the year—
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- Lee, mr. McDowell, secretary of the senate, best wishes extended to—
HJR 295, pages 1127, 1167, Act 82-220
- Leitch, master sergeant James Harry, commended—
HJR 30, pages 97, 135, 151, Act 82-16
- "Lighthouse", Alabama Christian college group, commended—
HJR 360, pages 1444, 1482, Act 82-342
- Lightsey, captain Ed, upon retirement as state conservation officer—
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- Livingston state university's basketball team gulf south conference
tournament champions—
SJR 177, pages 821, 877, 1207, 1329, 1393, Act 82-281
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- Livingston university lady tigers basketball team, commended—
SJR 258, pages 1449, 1623, 1657, 1679, Act 82-389
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- Maplesville high school basketball team—
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Mathews, mr. Willis Carl, on retirement—

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Merrill, the late Walter Oliver, on nomination to sports hall of fame—

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Meyer, mrs. Erie, commended, "Woman of the year"—

SR 271, page 1616

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McCawley, mr. Clarence, Fairhope's 1981-82 volunteer of the year—

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McCorquodale, house speaker Joseph C., jr., commended for distinguished service to the legislature—

SJR 275, pages 1632, 1672, 1691, 1935, Act 82-469

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McCorvey, mr. Woodrow, principal of Escambia county middle school—

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McDonald, mr. Vince, on retirement—

SR 188, page 879

McFaden, mr. George C., honored on retirement from institute for deaf and blind—

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McMahan, mr. Curtis, commended, organizing Hokes Bluff fire department—

SJR 264, pages 1561, 1622, 1658, 1679, Act 82-395

McMillan, Lieutenant governor George, for outstanding service to the Senate—

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McNair, major general Carl Herbert, jr., commanding general, Fort Rucker—

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McNeil, elder Franklin, on 10th anniversary of his pastorate—

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Miller, sergeant Louis, jr., on apprehension of coin show robbers—

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Minor, wrestler Tim, of Hewitt-Trussville high school, commended—

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Mohr, colonel Gordon "Jack", distinguished patriot—

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Monroe county commission—

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Montgomery area chamber of commerce directors for unemployment relief program—
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Montgomery police department commended for service during sub-freezing weather—
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Morgan, John T., academy debate team commended—
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Mysinger, mr. James M., commended—
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"National band association hall of fame of distinguished persons" at Troy state, establishment of commended—
HJR 285, pages 1199, 1600, 1933, Act 82-593

National guard, Alabama, for service rendering during severe weather—
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New pilgrim Baptist church, Birmingham, women of, commended—
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Nicholson, fire chief Jackie, for heroism—
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Nielsen, mr. knud, jr., prominent florist—
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North Alabama printing company of Decatur, for winning advertising award—
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Northview high school 4A football champions, Dothan—
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O'Koren, dr. Marie L., on tenth anniversary of distinguished service at UAB—
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Parks, Jeff, Gardendale high school football star—
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Pate, mrs. Harold, president of Alabama cowbelles—
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Payne, dr. Charles L., president of southern association of colleges and schools—
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CONGRATULATORY (Continued)

Phillips, basketball star Eddie, university of Alabama—
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SJR 245, pages 1349, 1458, 1484, 1679, Act 82-350

Pickens, mrs. Ruby Caldwell, outstanding young woman of America—
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Pierce, dean Truman M., congratulated, achievements, teacher education—
SJR 263, pages 1560, 1622, 1658, 1679, Act 82-394

Pinson valley high school wrestling team commended—
HJR 264, pages 989, 1589, 1932, Act 82-587

Pisgah lady eagles, 2A girls basketball champions—
HJR 186, pages 706, 919, 944, Act 82-180

Porch, mr. Charles T. "Bud", Alexander City's man of the year—
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Primm, dr. Chester B., Randolph county's man of the year—
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Publicity and information, bureau of, for publication, "Alabama the beautiful"—
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Purdue, miss Julia A., upon retirement—
HJR 219, pages 905, 965, 1095, Act 82-210

Randolph, dr. Robert L., on inauguration as president of Alabama state university—
HJR 293, pages 1158, 1225, 1268, Act 82-262

Red Level high school's marching band commended—
HJR 207, pages 774, 819, 873, Act 82-164

Reeves, judge Ben, upon retirement as probate judge, Pike County—
SJR 30, pages 172, 193, 306, 341, 382, Act 82-60

Robinson, Oliver, UAB basketball player—
SJR 179, pages 874, 1174, 1210, 1326, 1393, Act 82-228

Russellville high school basketball team—
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Sellers, mr. J. Lewel, commended for conservation efforts—
HJR 67, pages 163, 193, 231, Act 82-25

Selma high school's debate team commended—
HJR 312, pages 1261, 1600, 1934, Act 82-600

Selma-Dallas county chamber of commerce for hospitality shown to Cahaba committee—
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Seminole electric cooperative, inc., for contribution to economic development of Alabama—
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- Shaver, mr. Charles Edwin, distinguished Huntsville citizen of the year—
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- Shewmake, commander Gordon R., veterans of foreign wars—
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- Shuster, Rhonda LaVerne, state 4-H junior leadership winner—
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- Skutnik, mr. Lenny, honored for heroism—
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- Smith, Mrs. Elmina, on 100th birthday—
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- Smith, mrs. Estelle Scroggin, on 90th birthday—
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- Smith, mr. Jack, upon retirement—
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- Smith, mr. Ray, upon retirement—
SJR 138, pages 509, 530, 703, 715, 796, Act 82-130
- "Southwind drum and bugle corps", commended—
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- Steele, dr. Ellsworth, on retirement from Auburn university—
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- Stephens, mr. W. L., on retirement—
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- Stevens, mr. Larry, distinguished Montgomery radio executive and announcer—
HJR 103, pages 307, 359, 373, Act 82-68
- Struck, miss Evelyn, commended for academic achievement—
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- Teaford, mrs. Ruth Romine, Walker county's teacher of the year—
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- Tisdale, colonel Tyron E., on retirement—
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- Troy-Pike area vocational center, health occupation education class—
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- Truly, astronaut Richard Harrison, commended—
HJR 4, pages 37, 80, Act 82-3
- Tunnell, mr. Ed, on award for excellence—
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- Turner, honorable Katie, governor of Alabama district pilot club international—
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Tuskegee institution tigerettes on basketball season—

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Underwood-Petersville volunteer fire department commended—

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United automobile workers union commended—

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University of Alabama basketball team commended—

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HJR 197, pages 775, 819, 873, Act 82-162

University of Alabama blazers on outstanding basketball season—

HJR 192, pages 718, 768, Act 82-121

University of Alabama in Huntsville hockey team commended—

HJR 215, pages 905, 919, 944, Act 82-182

University of Alabama in Huntsville's ice hockey chargers—

SR 178, page 866

University of Alabama swim team, SEC champions, commended—

HJR 220, pages 906, 919, 944, Act 82-183

University of Montevallo lady falcons' volleyball team commended—

HJR 7, pages 100, 134, 150, Act 82-7

Vacca, senator Paschal Patrick, gratitude for arranging senate reunion—

SR 230, page 1165

Vacca, senator Paschal Patrick, on his distinguished legislative career—

SJR 211, pages 1077, 1174, 1210, 1326, 1393, Act 82-225

Vandiver, mrs. Madge, for winning advertising award—

SR 103, page 443

Vessey, general John W., jr., chairman of joint chiefs of staff nominee—

SJR 169, pages 783, 878, 914, 1203, Act 82-196

SR 172, page 786

Vestavia hills high school marching band, Alabama representative at national cherry blossom festival—

HJR 175, pages 590, 695, 709, Act 82-118

Volker, honorable Joseph F., chancellor, university of Alabama, commended—

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